

City of Las Vegas

**HISTORIC PRESERVATION COMMISSION AD-HOC COMMITTEE
CITY HALL, 495 S. MAIN STREET
HUMAN RESOURCES 2ND FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov**

MINUTES

March 22, 2017

10:30 AM

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:

MEMBER LeVINE called the meeting to order at 10:38 a.m.

PRESENT: MEMBERS LeVINE, KLENK and SERFAS (excused until 10:48 p.m.)

EXCUSED: MEMBER McMILLAN-ARNOLD

ALSO PRESENT: COURTNEY MOONEY, Urban Design Coordinator, JAMES LEWIS, Deputy City Attorney, and ASHLEY FOSTER, Deputy City Clerk

NOTE: Subsequent to the roll call, DEPUTY CITY ATTORNEY JAMES LEWIS explained that pursuant to the Historic Preservation Commission's bylaws, COURTNEY MOONEY can fill the quorum requirements in another Member's absence. Since MEMBER SERFAS had not arrived yet, MS. MOONEY participated as a Member; thus, the quorum was met in order to conduct the meeting.

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

Minutes:

ANNOUNCEMENT MADE: 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.

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. [HPC-69429 Discussion for possible action regarding Historic Preservation Commission notification regarding pending demolitions of historic properties and/or amendments to the City of Las Vegas Unified Development Code Chapter 19.10.150 and/or Commission Bylaws as amended September 25, 2013 regarding the Historic Preservation Commission powers All Wards](#)

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Minutes:

Based upon the discussion at the February Ad-Hoc Committee meeting, COURTNEY MOONEY, Urban Design Coordinator, stated that staff compiled a summary to start the present discussion. Referencing a summary which was submitted for the record, MS. MOONEY read that criteria would be any building, structure or object that has been determined eligible for designation or currently designated on the state or National Register of Historic Places. The data can be pulled from the City's Geographic Information System (GIS) because all of the surveys the Historic Preservation Commission has supported are all entered into the GIS. She thought this was a good place to start as a trigger as these buildings have already been determined significant and would not require any additional research.

MS. MOONEY continued reading about the trigger which would be an application for a permit to demolish an eligible or designated building, structure or object. Although they have not been vetted through City departments, yet, the fees could total \$450, which would include the current \$300 demolition permit fee, \$150 for online and newspaper notification, and a sign on the property. She read that the review period would be 15 days to begin when the application is submitted to the Department of Planning for demolition. Lastly she indicated the two additional outcomes, which included the Commission may use the 15 days to work with the property owner on alternatives for demolition and the Commission may recommend, at the Commission's expense, that a plaque be placed on the property recognizing the historic significance of the demolished building.

MS. MOONEY confirmed for MEMBER LeVINE that this criterion would be applicable to any building that has been determined eligible for designation or is currently designated on the state and national registers. She explained that the demolition permit fee is \$300 for the City and was established by staff who is responsible for ordering signs, newspaper notifications and other zoning entitlement projects.

MEMBER LeVINE expressed concern regarding the 15-day review period. MS. MOONEY noted that number was a starting point for discussion and was developed from what staff believed to be feasible. She confirmed for MEMBER KLENK that this number was in calendar days.

Regarding the application process, MS. MOONEY explained that usually she receives a call from the Planner to which she can then respond. If she is not in the office, she can receive the request by email. Although MS. MOONEY is the only one who receives the requests, if she is going to be out of town for a few days, she has other designees with the authority to make a determination.

MEMBER LeVINE wondered if the Commissioners are notified of the requests. MS. MOONEY believed an email notice could be sent to the Commission.

DEPUTY CITY ATTORNEY JAMES LEWIS stated that globally, the Commission can offer whatever types of amendments it would like to the City Council. He emphasized the need to explain what happens after an email notification is received. As of right now, properties on the local register must go through the Historic Preservation Commission's (HPC) process. He believed the Commission desired to expand and tweak this process to require properties on the state and national registers as well as eligible properties to go through the same process.

DEPUTY CITY ATTORNEY LEWIS suggested adding that the City Attorney's Office will vet through some of the ideas in order to refrain from costing the City money. He believed what MS. MOONEY has brought forward has been vetted in other jurisdictions.

MEMBER KLENK wondered if the Department of Building and Safety has weighed in. MS. MOONEY disclosed that only informal discussions have been had. MEMBER KLENK inquired as to what would happen if that department did not agree with the Commission's decision. TOM PERRIGO, Director of Planning, thought this to be unlikely and believed if the Commission came up with a proposal for the Council, staff would vet it through the Department of Building and Safety, so that there is no fatal flaw or added expense.

MR. PERRIGO informed MEMBER LeVINE that this summary creates a disruption in the normal process and creates an opportunity for information to be shared. He explained the process after MS. MOONEY receives a demolition request.

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MEMBER LeVINE thought there needed to be a built-in notification to the Commission notifying them that a request has been filed.

MR. PERRIGO asked MS. MOONEY if permit information was available online to the public. She was unsure. MS. MOONEY encouraged the Members to consider if the 15-day review process would be extended if the demolition request is for something the Commission feels should not be demolished and the item is scheduled for an upcoming Historic Preservation Commission meeting. MEMBER LeVINE and MR. PERRIGO did not see the point of an extension if there was nothing the Commission could do to hinder a demolition.

Even if the Commissioners must review the requests as individuals, DEPUTY CITY ATTORNEY LEWIS felt if a property owner received a call from a Commissioner, they would believe they are receiving a phone call from the government, and it may spur some action. MR. PERRIGO did not think this was the case. He has not heard a strong desire to stop demolition unless the property is really important. He explained that if something like this is approved, an informational sheet will be included when the permit is pulled.

MEMBER LeVINE liked the idea of an informational sheet.

If he was a developer, MEMBER KLENK felt that he would be confused or angry to have people calling. He would then call a Councilperson to complain about the calls. In this process, he suggested the coordination of one staff person making the phone call. MR. PERRIGO thought this was a great idea and offered for MS. MOONEY to coordinate the collection of comments/complaints to share with the developer. MS. MOONEY had imagined this.

DEPUTY CITY ATTORNEY LEWIS brought up the idea of the Commissioners being upset with the demolition of a building and did not wish for there to be unjustified expectations.

MEMBER LeVINE echoed MEMBER KLENK'S thoughts but believed there needed to be a trigger point in the beginning of the process. MS. MOONEY indicated that she does receive pre-application notifications for historic properties.

MEMBER SERFAS shared when he is working for a developer, their first priority is demolition. The only delay is the shut off of utilities.

DEPUTY CITY ATTORNEY LEWIS mentioned eligibility and asked if the term would be defined for the code. MS. MOONEY said that the criteria used to establish eligibility would be used. The properties being spoken about are ones that have already been determined eligible. MR. PERRIGO added that all others would be reviewed by MS. MOONEY as she does currently. MS. MOONEY noted that if a property has been determined eligible, it is because staff has hired a consultant to determine its qualifications.

MS. MOONEY indicated that during the 15 calendar days, staff would coordinate communication between the Commission and the property owner. Commissioners would be given time to return comments to MS. MOONEY. MR. PERRIGO confirmed for MEMBER SERFAS that when a permit is pulled, the demolition cannot be executed sooner than 15 days; utilities can be done the same day. Often times the developer will pay for people to sit on the site while they are pulling the permit.

MR. PERRIGO did not feel the notification would be seen in the newspaper or online and wondered if notifying the HPC was enough.

DEPUTY CITY ATTORNEY LEWIS found the process to be beneficial in that if people come in with settlements or entitlements, there will not be any question as to whether the property is historic or not. The notification helps to put everyone on a level playing field.

MEMBER LeVINE reiterated the importance of a trigger point. MR. PERRIGO believed MS. MOONEY was adding something to the summary regarding this.

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MS. MOONEY wondered about the Committee's opinion about other types of notifications. MEMBER LeVINE was unsure on whether or how the public should be notified. MR. PERRIGO commented that the biggest challenge for any project is going through a public hearing. He used the example of notification for zone changes. He noted that the HPC has been given the responsibility to look out for these interests on behalf of the Council. Also, there are folks in the community who the Commissioners are tapped into.

Discussion was held regarding the possibility of a permit being pulled for a building that may cause a public outcry. DEPUTY CITY ATTORNEY LEWIS used Las Vegas High School as an example. MR. PERRIGO was unsure about DEPUTY CITY ATTORNEY LEWIS' example as that was one that public outcry could change the outcome. He only wished to point out that putting a notification in the newspaper or online may not do anything.

MEMBER KLENK wondered if the City could notify organizations instead of the public. MR. PERRIGO confirmed these types of notifications happen.

MS. MOONEY asked if the Commissioners could contact the media on issues they feel strongly about. DEPUTY CITY ATTORNEY LEWIS asserted that he would need to follow-up with the City Manager and the Department of Human Resource to check the policies as he was unsure.

MR. PERRIGO referenced earlier comments regarding the Commissioners contacting a developer and was unsure how the whole community contacting a developer could be prevented. In response to a comment by MEMBER LeVINE about Facebook, MR. PERRIGO noted that all Commissioners have an avenue to let people know.

DEPUTY CITY ATTORNEY LEWIS believed whatever is decided will be a positive for the Commission as the City's gears will turn no matter the outcome of the meeting.

MEMBER SERFAS complimented MS. MOONEY on her creation of the process. MS. MOONEY indicated that the completed process would be presented to the Commission in April. MEMBER LeVINE summarized the process.

In reference to permits, DEPUTY CITY ATTORNEY LEWIS believed there may be one day in which the Council does not wish to demolish a property and that may be hard to stop if a permit has been issued. MR. PERRIGO suggested DEPUTY CITY ATTORNEY LEWIS draft language allowing the City to have 15 days to issue the permit.

At the end of the 15 days, MEMBER LeVINE wondered if the Commission has the power to require a plaque on the property. MS. MOONEY replied that it can be recommended but not required. MR. PERRIGO added that a condition could be added to the permit; however, staff would think about this.

MEMBER KLENK also wished to hear what the Commissioners were allowed to do. DEPUTY CITY ATTORNEY LEWIS said that he would need to follow-up. As a general rule, the HPC is comprised of appointed, part-time Commissioners. When they voluntarily accept a position on the Commission, the Commissioners agree to not speak on behalf of the entity. MS. MOONEY believed in the past, when they contact the media, the Commissioners must identify themselves as citizens.

MS. MOONEY asked for clarification regarding the notification moving forward. MEMBER LeVINE indicated that there would be no public notification, but there should be notification of the Commission.

MS. MOONEY restated the criteria, triggers, fees, review period and the additional outcomes. She noted that she would edit the summary with the present comments.

MEMBER SERFAS mentioned obtaining historical items. DEPUTY CITY ATTORNEY LEWIS believed this should be thought out as there should be some specific perimeters to avoid any issues.

MS. MOONEY added that the City cannot salvage and store the artifacts. In the past, staff has encouraged the developer to save the item to which staff then documents the item.

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Upon discussion with DEPUTY CITY ATTORNEY LEWIS, MEMBER LeVINE decided to inform the HPC that a plan had been developed to be vetted at the Commission's subsequent meeting. MS. MOONEY asserted that there would not be another follow-up Ad-Hoc Committee meeting as the plan would be an action item for the April meeting.

5. DISCUSSION REGARDING TOPICS FOR FUTURE AGENDA ITEMS BY THE COMMITTEE. COMMENTS MADE DURING THIS PORTION OF THE AGENDA BY INDIVIDUAL MEMBERS SHALL REFER SOLELY TO PROPOSALS FOR FUTURE AGENDA ITEMS AND ANY DISCUSSION SHALL BE LIMITED TO WHETHER OR NOT SUCH PROPOSED ITEMS ARE WITHIN THE PURVIEW OF THE COMMITTEE AND/OR WHETHER SUCH PROPOSED ITEMS 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.

Minutes:

DEPUTY CITY ATTORNEY JAMES LEWIS asserted that this agenda item is mute, since no additional Ad-Hoc Committee meetings will be held.

6. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE BOARD. NO SUBJECT MAY BE ACTED UPON BY THE BOARD 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.

7. ADJOURNMENT

Minutes:

The meeting was adjourned at 11:40 a.m.

Respectfully submitted:

Ashley Foster, Deputy City Clerk

Courtney Mooney, Urban Design Coordinator

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