



Historic Preservation Commission Minutes

1. Call to Order and Roll Call

Minutes:

CHAIR WHITE called the meeting to order at 12:04 p.m.

PRESENT: CHAIR WHITE and COMMISSIONERS STOLDAL (via teleconference and excused at 1:47 p.m.), LeVINE (excused at 1:59 p.m.), BECK, SERFAS (excused until 12:09 p.m.), COSGROVE, LARIME, PALENCAR, LONG, SIEBRANDT (ex-officio member) and MARY BETH TIMM as the Nevada State Museum Designee (ex-officio member)

EXCUSED: COMMISSIONERS HOTCHKISS and PALACIOS

ALSO PRESENT: MIKE HOWE, Planning Section Manager, SETH FLOYD, Deputy City Attorney, and GABRIELA PORTILLO-BRENNER, Deputy City Clerk

2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations in accordance with the State of Nevada Executive Department Declaration of Emergency Directive 006: The City of Las Vegas website – www.lasvegasnevada.gov and The Nevada Public Notice Website notice.nv.gov.

3. Public Comment: Comment during this portion of the agenda must be limited to matters on the agenda for action. If you wish to be heard, come forward 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.

Minutes:

CHAIR WHITE started reading Item 4, and then realized there was someone who wanted to speak on this matter. HEIDI SWANK, Executive Director of the Nevada Preservation Foundation, said she wanted to speak on Item 12, and CHAIR WHITE asked her to wait and speak during the item.

See Item 12 for related discussion.

4. For possible action to approve the Final Minutes by reference of the Regular Meeting of October 28, 2020

Minutes:

After briefly going back to Item 3 because CHAIR WHITE realized someone wanted speak, she called for the motion on this matter.

Motion made by Colleen M. Beck to Approve

Passed For: 8; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 3

For-Claytee White, Robert Stoldal, Jack LeVine, Colleen M. Beck, Sondra Cosgrove, Michelle Larime, Mia Palencar, Rhonda Long; Did Not Vote-Nevada State Museum Designee, Diane Siebrandt; Excused-Donald Hotchkiss, Richard Serfas, Craig Palacios;

5. **20-0176-HPC1 - ABEYANCE ITEM** - Discussion for possible action regarding approval to provide up to \$35,000 in Historic Preservation Commission funding to hire a consultant to complete City of Las Vegas Historic Designation Applications for 12 properties currently listed on the National and State Historic Properties Registers

Minutes:

COMMISSIONER SIEBRANDT stated that staff wanted to withdraw this matter without prejudice.

Motion made by Sondra Cosgrove to Withdraw without prejudice

Passed For: 8; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 3

For-Claytee White, Robert Stoldal, Jack LeVine, Colleen M. Beck, Sondra Cosgrove, Michelle Larime, Mia Palencar, Rhonda Long; Did Not Vote-Nevada State Museum Designee, Diane Siebrandt; Excused-Donald Hotchkiss, Richard Serfas, Craig Palacios;

6. **20-0322-HPC1** - Report by Angela Washington, Grant Program Coordinator with the Office of Community Services, regarding how historic preservation issues are addressed by the Office of Community Services

Minutes:

KATHI THOMAS, Director, and ANGELA WASHINGTON, Grant Program Coordinator, Office of Community Services, were present and alternated in making a PowerPoint presentation, a copy of which was submitted for the record, respectively, regarding the funding sources and the specific ongoing projects.

MS. THOMAS reported that the City of Las Vegas is a formula grantee and annually receives an entitlement portion of federal dollars from the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), the Housing Opportunities for Persons with AIDS (HOPWA) Grant and the HOME Investment Partnerships Program (HOME). Each of these grant programs requires that staff members consult with and look for any possible historic preservation issues. Through these grants, City staff carries out a wide range of community development activities, including neighborhood revitalization, economic development, improved community facilities, emergency shelters and buildings and rehabilitating affordable housing.

As part of receiving the grants, staff must put together a plan on the use of the funding. In addition to the formula based grants, the City applies for competitive federal dollars. Some of these dollars were used on a lead-based paint hazard control program, which focused on communities with older homes. The City also applied for Economic Development Administration grants for projects related to economic development administration grants for workforce development and enhancement.

HUD requires the conduction of environmental reviews prior to expending any of the federal dollars to ensure proposed projects would not have an adverse effect on the surrounding communities. The funding is used for programs such as senior meals, after school tutoring and educational programs, case management, as well as for professional services directly related to eligible expenses, including architectural design services, construction, rehabilitation, repurposing of buildings and infrastructure projects or demolition.

The type of review conducted depends on the proposed activity, meaning that extensive work would likely result in an impact to the environment, which would require a higher level of review, including compliance with regulatory processes, a public input process and project approval by HUD. The environmental review process requires comments from subject matter experts relative to designated areas of study, and they provide insight on how the project would affect the fields of review.

Given Community Services' transparency policy with all projects, particularly with those involving development, there are several layers of internal and external communication during the process of securing approval for any proposed project. This includes contact with the City Council, Ward representative, Planning Department and Historic Preservation Officer and Public Works Department, as well as with the Nevada State Historic

Preservation Office (SHPO) and Native American Tribes, depending on the scope of work, and the public.

MS. WASHINGTON picked up and started her presentation with PowerPoint Slide No. 8. She reported that as part of the Historic Preservation process, their office maintains for the City a Memorandum of Understanding (MOU) with SHPO in accordance with Section 106 of the National Historic Preservation Act. The MOU addresses the areas of potential effect, identification of historic properties, exempt activities, SHPO review time and resolution of disagreement.

In instances where a proposed project presents an adverse effect, the City, through Community Services, enters into a memorandum of agreement (MOA) with SHPO. This was the case with the demolition at 1425 N. Main Street and D Street Properties.

Referring to the picture on Slide No. 10 of the building at 1425 N. Main Street, she explained that upon completing a Section 106 request, it was determined that the structure could be historic due to its architecture and history. The building was one of the last structures that displayed the depicted architecture type, and it appeared to be one of the last Carroll's Hamburgers stands in the country, of which she showed a past depiction (Slide No. 11). She reviewed other slides (numbers 11 and 13) depicting the state of the property prior to the City's acquisition in 2016, by which time the building had undergone various modifications that eliminated its architectural uniqueness. Despite this, staff entered into an MOA with SHPO to demolish the existing structure contingent upon several conditions, such as securing color digital images and reproductions of the resource and providing a written history about the property for display in the new proposed structure, of which she showed a depiction on Slide No. 14. The building would be refurbished to house a health and wellness center slated for start of construction in the first quarter of 2021. Additionally, the City committed to installing artwork depicting Carroll's Hamburgers in the new building.

Continuing on, MS. WASHINGTON went over the details regarding D Street Properties, which was another example of consultation with SHPO. She explained that the bishop for the church approached the City about purchasing the parcels shown on Slide No. 15, which did not include a fourth parcel with a modular building, along with 10 other parcels, because they were relocating their church. The consultation with SHPO concluded that demolition of the buildings would result in an adverse effect because it would add to the number of vacant lots in the area. Consequently, the City entered into an MOA with SHPO that included numerous requirements prior to demolition, which she detailed from Slide No. 16, noting that the City had to hire an architectural historian to record the history of the building. They hired a company with expertise in Section 106 requests, and they were instrumental in assisting staff through the process. She reviewed renderings (Slide Nos. 17-21) of proposed replacement developments for properties at D Street and Jefferson Avenue, 1001 C Street Phases I and II and 500 Jefferson Avenue.

The project at D Street includes a mixed-used building with housing, business and retail space. The Request for Proposals should be going out in January 2021. Staff committed to the preservation of some of the items of the historic building, such as portions of the wooden ceiling, for incorporation into the new structure.

Phase I of the proposed project at 1001 C Street consists of a W. Las Vegas Education and Training Center. Although Community Services only contributed architectural design funding, staff consulted with SHPO in anticipation of Phase II of the project and due to the project's proximity to a registered site. The City was pursuing an \$8 million grant from the EDA (Economic Development Administration) for development of the campus, and she referred to Slide Nos. 18 and 19 depicting Phases I and II. The consultation process was lengthy and included public notices and Native American Tribal comments. SHPO approved the project; however, the City was awaiting final decision on the grant request.

The 500 Jefferson Avenue project pertains to a rehabilitation project, for which the City would contribute nearly \$437,000 in federal HOME funding toward the overall funding for rehabilitation of the site. The building is a six-plex requiring nearly a total overhaul of the interior. A Section 106 consultation was requested from SHPO to ensure there would be no adverse effect on the surrounding area. She referred to the before photo (Slide No. 20) and a rendering of the proposed project (Slide No. 21). The project was underway.

CHAIR WHITE asked why the Historic Preservation Commission (HPC) was not notified of the discussions regarding the New Jerusalem Church site, and MS. WASHINGTON replied that Community Services staff

communicated fully with multiple departments within the City, adding her confirmation that the property was found to be non-historical. DEPUTY CITY ATTORNEY SETH FLOYD rejoined that without the property being on the local register, there was nothing to trigger a review by the HPC. He added that the SHPO review requires properties of a certain age to be documented whether or not they are on a register. He noted that the Carroll's Hamburgers stand was documented for SHPO compliance. He clarified for the Chair that even though the New Jerusalem Church may be 50 years old, it was not listed on the local register.

COMMISSIONER BECK commended MS. THOMAS and MS. WASHINGTON on their presentation. She stressed that she could not understand how departments consulted with SHPO without the HPC's knowledge, when the Commissioners may have things to add. It is confusing to her as to why the HPC would not be made aware of situations involving architectural work. MS. THOMAS explained that because federal dollars were being used, staff would have to follow the process mandated by the use of those funds. Procedurally, staff could add a step requiring notification to the HPC upon holding the Section 106 consultation.

COMMISSIONER SIEBRANDT interjected that the HPC was governed by Title 19 of the Las Vegas Municipal Code (LVMC). Because none of the properties were on the local register, notification to the HPC was not required, as it could not take any action. She added that Community Services staff kept her informed, and she received the report, which she offered to share with the Commissioners, on the New Jerusalem Church property. She stated that similar items could be placed on the HPC's agenda as information items, but the Commissioners could not take action on properties not listed on the local register. COMMISSIONER BECK liked the idea of being informed at least. CHAIR WHITE agreed, adding that had she known about the demolition of a building near a property owned by a familiar minister who made inquiries to her, she would have known how to respond.

COMMISSIONER STOLDAL disagreed and pointed out that according to the Certified Local Governments (CLG) with SHPO, the HPC has a role to play with Section 106. He believed the issue is that it was not being followed or it was misinterpreted and allowing the bypassing of the HPC. He suggested the City Attorney research this matter further and define their role as it relates in the CLG and Section 106. He noted that to his understanding, this is the case throughout the country.

COMMISSIONER BECK praised the staff of Community Services for following the requirements, noting that the Commissioners just need to know how to proceed and ensure they can do their job properly. She was very impressed. CHAIR WHITE sincerely appreciated the reports, which helped her formulate a response to PASTOR CARROLL. MS. THOMAS said that her staff is committed to transparency to all stakeholders, which encompasses the HPC members. She assured the Commissioners her staff would ensure that informational items are presented to the HPC, and that they would always be available to support the work of the HPC and make all public information available to them.

COMMISSIONER PALENCAR asked who would occupy the rehabbed structure at 500 Jefferson Avenue and who would collect the rents. MS. THOMAS replied that the City contracted with Nevada Housing Services of Southern Nevada, which was defined by HUD as a community housing development organization, and thus requiring a portion of the CDBG funding set aside for a recognized organization of this type. The workforce housing would be affordable housing.

COMMISSIONER SERFAS appreciated the presentation and said that he fully supported an adaptive re-use ordinance. Therefore, he encouraged MS. THOMAS to come to the HPC with any similar projects as those presented, which were excellent examples of adaptive re-use and how historic preservation could be a win in the community.

COMMISSIONER STOLDAL asked that the PowerPoint presentation be posted online for viewing.

7. **20-0323-HPC1** - Report by Robert Nolan, Deputy Fire Chief/Fire Marshal with Las Vegas Fire & Rescue, regarding how historic preservation issues are addressed by the Fire Department

Minutes:

COMMISSIONER SIEBRANDT said that ROBERT NOLAN, Deputy Fire Chief/Fire Marshal with Las Vegas Fire & Rescue (Fire and Rescue), was presenting as part of the Speaker Program of the Historic Preservation

Commission (HPC), and he was representing the last department to present.

MR. NOLAN was honored to speak about the services offered by Fire and Rescue, as he truly believes that information serves to enhance the work of the HPC for the City. He gave some history on his professional background, and then reviewed a PowerPoint presentation, a copy of which was submitted for the record, to provide a report. He said that even though he oversees many areas in his position with Fire and Rescue, he would mainly cover his role in Fire Prevention and its mission, which is to provide engineering, enforcement and education, as well as economic incentives and emergency responders to develop the five E's, thus forming the new model for Community Risk Reduction. He noted his belief in Fire Prevention having a common goal with the HPC of preserving property. As a matter of information, he mentioned that Las Vegas has a 30 percent less chance of dying in a fire than people in some other cities.

MR. NOLAN commented on how Fire Prevention becomes involved with historic buildings and properties. Typically they are contacted after a fire occurs, after receiving a referral from the Planning Department or the Code Enforcement Division, discovery of certain situations during annual fire inspections, business license application or special use permit processes.

The Fire Protection Engineering Program Services provides the plan review consultation and permitting services to the construction companies, and they review plans for safety code compliance in a timely manner. However, special attention was given to historic structures, and Fire and Rescue applies Chapter 11 of the Fire Code for special requirements. They also use the International Existing Building Code (IEBC), especially for historic buildings, which could provide relief of massive renovations of a building.

Engineering Program Services provides a wide range of program services and consults on projects with the Planning Commission, City Council and other City departments. He pointed out that his involvement with historic structures is mainly through plans check. The enforcement section of Fire Prevention provides consultations, and they were trying to enhance the community through risk reduction. The benefit of having Fire Inspectors assigned to specific areas results in their familiarity with properties and buildings that may be historic. Should there be a fire or an issue with a familiar property, the inspector would immediately know to notify the Planning Department. He added that when there were fires at the Moulin Rouge and the El Cid and renovations at the Floyd Lamb Park Hay Barn, they knew immediately to notify Planning.

With respect to Inspection Program Services and verifying fire flow for development and new construction, MR. NOLAN emphasized that when it pertains to historic buildings and the owner chooses to intensify the use, Fire and Rescue would have to require a higher degree of life safety standards. In such cases, Fire and Rescue works closely with the State Historic Preservation Office (SHPO) to ensure safety while preserving the property.

As he referred to the map slide, MR. NOLAN stated that the number of inspectors was reduced from 15 to 12 due to reassignment and the department's goal of risk reduction. However, as part of the Public Education slide, he emphasized that education was the most effective means of changing the culture and behavior towards fire safety. He added that most people were concerned with public safety rather than safety in their home, where the majority of fires occur. He noted that luckily the City approved having fire sprinklers in homes.

He remarked that Fire and Rescue provides free smoke alarm installation by calling 702-229-0366, and he stressed the importance of fire safety. In summary, he commented that engineering, enforcement and education were important to fire prevention, which led him to recall economic incentives. He said that economic incentives pushed construction of mid-rise buildings in the downtown area allowing developers to replace older buildings without life safety systems with higher density quality buildings with fire safety systems, such as the mid-rise buildings known as Aspen and Auric.

COMMISSIONER PALENCAR asked what Fire and Rescue was doing to prevent incidents similar to what occurred at the Alpine Hotel and get them up to code. MR. NOLAN replied that the data was being analyzed but he could not discuss the details because the property was under litigation. However, he mentioned that staff immediately started gathering data and found some uncoordinated systems. Hence, they started working on a system to take into account the property age, calls for service and code use for construction, and this would be

used to develop a registration program for rental properties. This program would help monitor compliance.

COMMISSIONER BECK asked for additional information on the Hay Barn. COMMISSIONER SIEBRANDT added that MR. NOLAN meant to say that he worked closely with her and Public Works on inspections for restoration purposes.

8. **20-0324-HPC1** - Discussion for possible action regarding approval of recommended Contract Number 210031-JH in the amount of \$30,000 for the Nevada Preservation Foundation to produce a comprehensive reference catalog of historic property surveys completed within the city limits of Las Vegas - All Wards

Minutes:

This matter was heard subsequent to Item 12, which was pulled forward for discussion after Item 13.

COMMISSIONER SIEBRANDT said this matter pertained to a grant by the State Historic Preservation Office (SHPO) to seek proposals for a company to produce a catalog of surveys. It was scheduled for action.

COMMISSIONER STOLDAL regarded this as a great project. Additionally, he felt they should make the content available to the public.

COMMISSIONER BECK asked for a correction in the document language, from Historic Property Surveys to Historic Resource Surveys. Exhibit A used the term Historic Resource Survey Literature Review, and this should be the title of the contract. DEPUTY CITY ATTORNEY SETH FLOYD believed the contract had already been signed, so any changes would take a significant effort. He thought the code refers to the register as a Historic Property Register. Certainly, they need to be more careful in the future and may have to make the change. COMMISSIONER BECK said she would just appreciate looking into the possibility of making the change and being consistent in the future. She had no problem with approval of this contract.

Motion made by Jack LeVine to Approve

NOTE: COMMISSIONER LARIME abstained from voting to avoid any conflict, because she will be a contract employee with the Nevada Preservation Foundation beginning January 2021 while some of their staff is out, and she may be working on this project.

Passed For: 7; Against: 0; Abstain: 1; Did Not Vote: 3; Excused: 2

For-Claytee White, Jack LeVine, Colleen M. Beck, Richard Serfas, Sondra Cosgrove, Mia Palencar, Rhonda Long; Abstain-Michelle Larime; Did Not Vote-Robert Stoldal, Nevada State Museum Designee, Diane Siebrandt; Excused-Donald Hotchkiss, Craig Palacios;

9. **20-0325-HPC1** - Discussion for possible action regarding approval of recommended Purchase Order Number 429109 in the amount of \$11,000 for Kautz Environmental Consultants to complete National Register of Historic Places Nominations for the following buildings located on the Old Las Vegas High School Campus, now the Las Vegas Academy of the Arts at 315 South 7th Street: (1) The 1953 Las Vegas High School Auditorium, (2) The 1951 Vocational and Industrial Arts Building, and (3) The 1947 Public School Administration Building - Ward 3 (Diaz)

Minutes:

COMMISSIONER SIEBRANDT stated that this resulted from a request by the Historic Preservation Commission (HPC) to review the three subject buildings for completion of the nomination to amend the current listing or add to the current listing. She requested approval to move forward.

COMMISSIONER BECK asked where the HPC stands in that process, and COMMISSIONER SIEBRANDT explained that the HPC votes on the proposals but could not be involved in choosing them. The selected company would have to give reports to the HPC, and she would provide updates on the progress of the project.

Motion made by Sondra Cosgrove to Approve

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

For-Claytee White, Robert Stoldal, Jack LeVine, Colleen M. Beck, Richard Serfas, Sondra Cosgrove, Michelle

Larime, Mia Palencar, Rhonda Long; Did Not Vote-Nevada State Museum Designee, Diane Siebrandt; Excused-Donald Hotchkiss, Craig Palacios;

10. **20-0326-HPC1** - Report by the Department of Planning regarding the Historic Preservation Commission budget

Minutes:

COMMISSIONER SIEBRANDT went over the budget. For Fiscal Year 2021 the budget was \$118,602.43, from which payment would be made in the amount of \$5,000 for the Neon Museum Conservation Plan, which was just completed and would be reported on in January 2021. They would also have to pay \$11,000 for the Las Vegas High School Amendment, and \$30,000 for the Survey Catalog, the funding for which would be reimbursed by the State Historic Preservation Office (SHPO). These planned expenditures leave approximately \$72,000 (until reimbursement of the \$30,000) for 2021 projects. She asked the Commissioners to think about future projects they would fund.

COMMISSIONER LARIME asked if she could discuss possible projects for funding, and COMMISSIONER SIEBRANDT replied that an item for discussion could be added to the January 2021 agenda.

11. **20-0327-HPC1** - Discussion for possible action regarding updating the language in the City of Las Vegas Historic Preservation Commission By-Laws regarding Membership, Section II (J), to strike the membership appointment of the State Historic Preservation Office

Minutes:

COMMISSIONER SIEBRANDT commented that this request came directly from the State Historic Preservation Office (SHPO), and she read the language in the Bylaws and explained that they would just remove SHPO. DEPUTY CITY ATTORNEY SETH FLOYD remarked that the language in the Bylaws stemmed from the City's code, so it would have to be updated and it was appropriate to remove SHPO because it no longer wanted to be on any local boards. He explained to the Chair that action would just remove the language from the Bylaws.

COMMISSIONER BECK added that the term "his successor" should be changed to "the successor." CHAIR WHITE agreed. MR. FLOYD said such a change would have to be done separately because this agenda item was specifically to strike the SHPO membership.

COMMISSIONER TIMM requested that the name of the museum reflect as written in the Nevada Revised Statutes, which has it as the Nevada State Museum Las Vegas. CHAIR WHITE discussed with MR. FLOYD that the change would have to be made at a later meeting. COMMISSIONER TIMM thought that the amendment included changing the designee from the SHPO to the Nevada State Museum and Historical Society Designee. To her understanding, that encompassed the proposed language change, which was incorrect. MR. FLOYD requested that for this item, the Commission remove the membership of SHPO after there was some discussion between him and COMMISSIONER TIMM as to how the name changed. He added that he would have to do some research.

Motion made by Jack LeVine to Approve

Passed For: 8; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 3

For-Claytee White, Jack LeVine, Colleen M. Beck, Richard Serfas, Sondra Cosgrove, Michelle Larime, Mia Palencar, Rhonda Long; Did Not Vote-Nevada State Museum Designee, Diane Siebrandt; Excused-Robert Stoldal, Donald Hotchkiss, Craig Palacios;

12. **20-0328-HPC1** - Report by the Department of Planning regarding the status of proposed amendments to the City of Las Vegas Unified Development Code regarding the Historic Preservation Commission's powers of demolition review for properties 50+ years old but not on the City of Las Vegas Historic Property Register

Minutes:

This matter was heard subsequent to Item 13, which was heard after Item 7.

COMMISSIONER SIEBRANDT pointed out that an informational document titled Demolition Review Flow Chart, a copy of which was submitted for the record, was disseminated to the Commissioners. She continued and

stated that this matter came to be because of the demolition of Wee Kirk o'the Heather Chapel, which was not bound by regulations for review by the Historic Preservation Commission because it was not on any register. They had to apply for a demolition permit, but that did not go through the process, and the building was demolished during the night the day the permit was obtained. The demolition company owner was spoken to by the Code Enforcement Division staff on the inappropriateness of that.

In looking through the archives, a copy of which was in the information packet provided as backup, COMMISSIONER SIEBRANDT said that in 2017, a demolition review ordinance was requested by the Historic Preservation Commission for adoption by the City. However, that did not go through the process because it required sponsorship by the Mayor or a member of the City Council, and it was not sponsored.

However, the City's policy requires the Planning Department to notify the Historic Preservation Officer (HPO) of demolition permits submitted for buildings 50 years or older for her to review and take appropriate action. She recently had to research two properties, one at 1088 South Main Street and another at 2601 West Charleston Boulevard, of which she took photographs to have some knowledge of what the properties looked like before demolition. Additionally, she was contacted about a property in the Las Vegas High School Neighborhood District, but the property was on the National Register; therefore, the City had no recourse. She made contact with the property owner, who indicated that the property was purchased for the purpose of demolishing it and developing office space. She noted that when a property owner submits for a demolition permit, they have pretty much resolved to move forward with demolition instead of preservation.

Hence, she looked into how other cities handle demolition permits for properties not listed on historic registers. In summary, there is an average waiting period of 30 days to explore what could be done regarding alternatives to demolition. A historic preservation board researches the property's eligibility for historic listing. If a property is eligible, contact is attempted with the owner to explain the options. If not, the owner could move forward with demolition, and this is done through a public hearing process. She pointed out that in Las Vegas, the property owner must consent to start the process for addition to the local register.

However, COMMISSIONER SIEBRANDT felt that although a demolition ordinance is important, the City could not solely rely on a demolition permit to save historic properties and should take a proactive approach by engaging with and reaching out to owners of historic properties through flyers or door hangers, community meetings, etc., to discuss opportunities for listing historic properties.

She mentioned that the Nevada Preservation Foundation (NPF) started circulating a petition for the City Council to look at adopting a demolition ordinance, and COMMISSIONER SIEBRANDT added that HEIDI SWANK, Executive Director for the NPF, was present to speak.

CHAIR WHITE added that the Commissioners thought they were being proactive with a demolition ordinance; however, they later found out they did not have a sponsor as required.

COMMISSIONER BECK verified with MS. SWANK that she was going to speak about the demolition petition and the proposed amendments for a demolition review in Las Vegas.

COMMISSIONER STOLDAL did not believe a demolition review ordinance would go anywhere without the support of the Planning Department. Therefore, he suggested the Planning Department draft the ordinance.

MS. SWANK stated that immediately after the demolition of the Chapel, NPF started circulating a petition to ask COUNCILWOMAN DIAZ to sponsor a demolition review ordinance. They gathered 1,000 signatures in support. Her Director of Preservation Services, MARIANNA RUIZ, and she worked on the proposed language, some of which was obtained from the HPO at the City of Phoenix, included in the draft submitted and referred to by COMMISSIONER SIEBRANDT.

The packet included the flow chart, proposed amendments in italicized text and an e-mail exchange between her and COUNCILMAN KNUDSEN regarding his intent to sponsor a demolition review ordinance. She provided an overview of the document and explained the process, which includes a 30-day delay, starting upon submittal of an application and payment of a \$300 proposed fee. A sign would get posted at the building stating the site is

under demolition review. The community would be informed through local and state preservation organizations. Staff would then start researching the property to determine eligibility for demolition. Should a property not qualify for the local register, it would be demolished. If the property qualifies, there is a process for the HPC to review it. She listed the types of buildings proposed. A re-use plan would have to be provided for vacant parcels caused by demolition.

MS. SWANK emphasized that the NPF was working on the Historic Preservation Plan for Boulder City, and she found that a demolition review was the most common protection for older buildings across the country.

CHAIR WHITE commented that they could consider the draft at a later meeting.

COMMISSIONER SERFAS said he would like some of the language added to the Adaptive Re-use Ordinance, so that the development community could have incentives for preserving buildings.

COMMISSIONER LARIME thanked MS. SWANK for her presentation. She added that proposed ordinances go through a lengthy process, and she would like the HPC to be kept apprised of the schedule so they could provide input and stay involved in the process. Additionally, she expressed awareness of some cities having success with tying demolition ordinances to waste reduction and landfill diversion tactics.

COMMISSIONER LeVINE asked if the owner of the Chapel was penalized, and COMMISSIONER SIEBRANDT replied that the Code Enforcement Division handled the case. MIKE HOWE, Planning Section Manager, said that in the case of a demolition, staff could not compel an owner to rebuild. He conceded there were good recommendations brought forward; however, there were some logical realities that would have to be overcome. COMMISSIONER LeVINE stated that this time around they needed to succeed in this effort, unlike the last attempt when they just spent a lot of time on a plan that merely became policy. MR. HOWE stressed that they would still have to have the consent of the property owner to add a property on the local register. MS. SWANK rejoined that cities across the country were requiring owners to recreate structures demolished without pulling proper permits. She was certain the City of Las Vegas Historic Preservation Ordinance allows buildings to be added to the register over the objections of the owner, which is how John S. Park was added.

COMMISSIONER TIMM fully supported the proposed process. CHAIR WHITE said that this matter was just on the agenda for a report.

COMMISSIONER BECK observed that the language in the documents provided regarding historic properties was not in agreement with the National Historic Preservation Act or its implementing regulations, and she could see how this could pose some problems. For example, the National Register of Historic Places, the State Register of Historic Places, and the City of Las Vegas Historic Property Register, which should be the City of Las Vegas Register of Historic Places because a historic property has a very specific definition, which she read. Therefore, she felt the name should be changed, because when a historic property is mentioned, she assumes that it was deemed eligible. There was a big difference between historic property and historic resources. Regarding the age of a historic property, they should use the terminology "at least 50 years old" to avoid confusion, and some day they may face an exception, as outlined in Section G, given what occurred with the location of the Twin Towers and may occur with the location of the October One incident. There are rules, but there are exceptions as well. She added that she liked that the petition called for the inclusion of buildings constructed at least 40 years ago, because going through the process can take some time and properties could become outdated.

CHAIR WHITE said that perhaps the Commissioners needed to be more consistent in the use of their language to avoid issues. COMMISSIONER BECK said that she would be happy to help, cautioning that they would not want to end up having legal issues.

See Item 3 for related discussion.

13. **20-0330-HPC1** - Report by the Department of Planning regarding updates on compliance guidelines and status of the Huntridge Theater located at 1208 East Charleston Boulevard - Ward 3 (Diaz)

Minutes:

This matter was heard subsequent to Item 7.

COMMISSIONER SIEBRANDT said that she placed this matter on the agenda because she felt there was a need for clarification regarding the rehabilitation of the Huntridge Theater and the responsibilities of the Historic Preservation Commission (HPC) in that. She noted that the closing was pushed to February. Pursuant to the Settlement Agreement for the property, the City of Las Vegas was given responsibility for oversight of the rehabilitation of the Theater, and this would mainly fall on the Building and Safety Department and the Code Enforcement Division to ensure construction compliance. The HPC's responsibility is to ensure the property's compliance with the historic context by putting it on the local register. Upon the property closing, the application would be scheduled for consideration by the HPC, the Planning Commission and then the City Council. After addition of the property to the local register, a certificate of appropriateness would be required for submittal for the HPC to review and ensure compliance with historic guidelines. The agreement allows for two site inspections by the HPC, contingent on compliance with the Open Meeting Law. J. DAPPER, the owner, and his attorney, JOHN CURRAN, have agreed to facilitate those. She noted that reports to the HPC were scheduled for the meetings in April, July and October of 2021.

Regarding the issue of inspections, DEPUTY CITY ATTORNEY SETH FLOYD added that the City Attorney's Office reviewed the Settlement Agreement, and he believed that the role of the HPC is only to monitor compliance through the Historic Preservation Officer. COMMISSIONER BECK asked if that meant that they would not be able to view the property, and MR. FLOYD said that it would not be under a City of Las Vegas authorized inspection. COMMISSIONER BECK commented that she would hope to have that opportunity as they may have more interest in it because they have more of an understanding at an architectural level. CHAIR WHITE added that they were able to take a tour of the Mob Museum and the Historic Westside School. MICHAEL HOWE, Planning Section Manager, interjected that tours were possible as long as they comply with the Open Meeting Law.

As a person who was deeply involved with MR. DAPPER and the State Historic Preservation Office (SHPO) on the Huntridge Theater, COMMISSIONER STOLDAL pointed out while the City staff would perform construction and building inspections, he believed the HPC has the right twice yearly to inspect for compliance with historical preservation of the structure. As a matter of example, he indicated that should any of the Commissioners have a question on the report provided, as required under the Settlement Agreement, they could ask to view the property under the terms of the agreement. He felt the use of the term "inspection" was correct as it relates to the HPC because their inspection would be relative to the historic aspect.

COMMISSIONER BECK said she would like to tour the property before start of construction for comparison purposes. CHAIR WHITE said that could be discussed at a later meeting.

COMMISSIONER LARIME appreciated MR. DAPPER'S willingness to schedule the reports and putting the property on the City register as soon as possible.

COMMISSIONER SIEBRANDT advised COMMISSIONER STOLDAL that the details of the new closing date were not disclosed to her.

14. **20-0331-HPC1** - Report by the Department of Planning regarding Director's updates

Minutes:

Regarding inspections and tours of the properties, MIKE HOWE, Planning Section Manager, commented that there was never an issue as long as the property owner consents. Property inspections should be coordinated through a specific staff member to avoid conflicts or liability. Regarding the Huntridge Theater or any future project, there will always be a City staff member performing the inspection. He advised COMMISSIONER BECK that tours could be coordinated by staff, with the property owner's consent. DEPUTY CITY ATTORNEY SETH FLOYD added that they needed to keep in mind the Open Meeting Law and avoid a quorum when taking tours. However, the Commissioners could always independently view a property, like the Planning Commissioners do for various cases.

15. **20-0332-HPC1** - Report by the Department of Planning regarding Project Update List

Minutes:

COMMISSIONER SIEBRANDT provided updates by reviewing a PowerPoint presentation, a copy of which was submitted for the record. The Neon Museum Conservation Plan was completed and representatives would give a report in January 2021. The Helen Toland Residence was approved by the Planning Commission for listing on the Las Vegas Historic Property Register and was pending approval by the City Council on December 16, 2020. The City of Las Vegas Archives and Records grant was pending gathering of information by department staff in order to apply.

16. **20-0333-HPC1** - Report by the Department of Planning regarding historic and archaeological resources in local media

Minutes:

COMMISSIONER SIEBRANDT said there were some interesting articles on how COVID-19 is affecting preservation.

17. **20-0335-HPC1** - 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 asked for any future agenda items.

COMMISSIONER LARIME said she would like to bring back the Bylaws for the revisions suggested. She would also like to take pro-active strategies as a Commission around education and advocacy. They need to discuss projects that would probably require funding for 2021.

COMMISSIONER SERFAS asked for an update on the adaptive re-use ordinance. Keeping in mind some of the discussion about being pro-active, he suggested discussing and identifying some of the barriers to historic preservation and unifying some efforts rather than being reactionary. CHAIR WHITE pointed out that COMMISSIONER SIEBRANDT made a lot of pro-active suggestions, and COMMISSIONER SERFAS appreciated her efforts in that regard.

18. **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, come forward and 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:

COMMISSIONER SIEBRANDT showed a PowerPoint slide, a copy of which was not submitted for the record, and said she enjoyed her first year with the City. She wished everyone Happy Holidays and a prosperous and productive 2021. She thanked the Commissioners for taking her in. CHAIR WHITE and COMMISSIONER BECK thanked her for all her assistance.

19. **Adjournment**

Minutes:

The meeting was recessed from 12:12 p.m. to 12:14 p.m. due to technical difficulties and was adjourned at 2:11 p.m.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk

Diane Siebrandt, Historic Preservation Officer

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE STATE OF NEVADA EXECUTIVE DEPARTMENT
DECLARATION OF EMERGENCY DIRECTIVE 006
The City of Las Vegas website – www.lasvegasnevada.gov
and
The Nevada Public Notice Website – notice.nv.gov