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HISTORIC DISTRICTS REVIEW BOARD
August 11, 2020

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MINUTES OF THE CITY OF SANTA FE
HISTORIC DISTRICTS REVIEW BOARD
AUGUST 11, 2020
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Historic Districts Review Board was called to order by Cecilia Rios, Chair, on the above date at approximately 5:30 p.m. at a virtual meeting held at https://www.youtube.com/user/cityofsantafe.

A. ROLL CALL

Roll Call indicated the presence of a quorum as follows:

MEMBERS PRESENT:
Ms. Cecilia Rios, Chairwoman
Mr. Frank Katz, Vice Chair
Ms. Jennifer Biedscheid
Mr. John Bienvenu
Mr. Anthony Guida
Ms. Flynn G. Larson
Mr. Buddy Roybal

MEMBERS EXCUSED:

OTHERS PRESENT:
Ms. Lisa Roach, Planner Manager
Mr. Daniel Schwab, Senior Planner
Ms. Angela Bordegaray, Senior Planner
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa Byers, Stenographer

NOTE: **All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Preservation Office and available on the City of Santa Fe Website.**

B. APPROVAL OF AGENDA

Ms. Roach indicated the agent for Item G(2) is John Murphy.

MOTION: Member Katz moved, seconded by Member Guida to approve the agenda, as amended.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

C. APPROVAL OF MINUTES:

1. HDRB Hearing Minutes July 28, 2020

MOTION: Member Biedscheid moved, seconded by Member Guida, to approve the HDRB Hearing Minutes of July 28, 2020, as presented.

VOTE: The motion passed by majority (4-0) roll call vote with Members Biedscheid, Bienvenu, Guida and Katz voting in favor and none voting against. Members Roybal and Larson abstained.

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case #2020-002251. 512 Abeyta
Case #2020-002255-HDRB. 141 Camino Escondido
Case #2020-002306-HDRB. 1301 C Canyon Road
Case #2020-002326-HDRB. 640 Garcia Street

MOTION: Vice Chair Katz moved, seconded by Member Guida, to approve the Findings of Fact and Conclusions of Law, as presented.

VOTE: The motion passed by majority (4-0) roll call vote with Members Biedscheid, Bienvenu, Guida and Katz voting in favor and none voting against. Members Larson and Roybal abstained.

E. BUSINESS FROM THE FLOOR

Stefanie Beninato pointed out that the link for this meeting was not live and she had to copy and paste. She said 721 Don Diego is a replica of the Gross Kelly warehouse

as a residential building. That was changed from residential to C1 PUD (Planned Urban Development) in 1998 with conditions by City Council. Conditions included footprint, architectural styles and not raising walls, among other architectural considerations. The current owners owned the property in 1998 and accepted these conditions but no longer want to accept them. The building at 719 is a vernacular building with a sloping roof and 723 is not any particular style. Yet the architect wants to call them all Pueblo Revival. Her concern is they want a blanket approval to put a second story but haven't designated where. She wondered if the Board had a process to preserve 721 and designate as significant. It is in good condition and a replica of Gross Kelly and ties the area. She thought otherwise it would have a second story someday. Or the architecture, which is primary, will be totally obscured.

F. COMMUNICATIONS

Ms. Paez noted that the appeal for 868 Alameda for the historic wall is anticipated to be heard the tomorrow night (August 12, 2020) before City Council.

Ms. Roach reminded everyone of the Revisioning Preservation Seminar hosted by the Friends of Architecture Santa Fe on Thursday, August 27. A link will be on the City's website with information on the event as well as information on *architecturesantafe.org.*

G. ACTION ITEMS

Chair Rios noted there were six action items before the Board. She reminded applicants if they disagreed with the decision of the Board, they have the option to appeal to the City Council within 15 days after the Findings of Fact and Conclusions of Law have been approved.

1. **Case #2020-002356-HDRB. 224 Maynard Street. Westside-Guadalupe Historic District**. John Hertz, owner, proposes to construct an addition and renovations, raise parapets, and replace windows and doors on a noncontributing residential structure. (Angela Schackel Bordegaray, 955-6127, asbordegaray@santafenm.gov)

Ms. Schackel Bordegaray presented the staff report as follows:

STAFF REPORT

The structure at 224 Maynard in the Westside-Guadalupe Historic District is a non-contributing tri-plex adobe that was designated non-contributing by the board in 2015 (Case # H-15-048A).

The approximately 1,500 square feet house is wall-dominated, flat-roofed and has a front portal. Most of the doors and windows have been replaced with aluminum sliding patio doors and sliders. The house sits back 96 feet from the street

The applicant proposes to renovate the tri-plex into duplex housing. The roof and deck will be removed, and the parapet height increased. On most of the house, the parapet walls will increase from 10'-0' above grade to 13'-4" and on the taller portion of the house to 14'-4".

The existing north portal area on the front of the house (east elevation) will be enclosed with new construction and additional construction will extend the portal to the southern side. The portal will be wood post and beam construction with an exposed wood deck. The roofing will be corrugated galvanized metal.

The applicant proposes to install new windows, double-hung, single-light with fixed transoms over (See window and door schedule, included in the packet.). The doors are French doors with transoms over. Windows and doors will be painted white. All windows and doors have no trim and are recessed into the walls about 4 inches.

The house will be stuccoed with El Rey "Cottonwood." Wood windows and portal will be painted white ("Winged Angel"). The metal door for the utility room will be painted "Resort Tan". Exterior lighting will consist of punched tin sconces. See material sample board. The applicant proposes a new fireplace toward the center of the house that will extend two feet above the higher parapet wall. It will be clad and capped in stucco.

No other changes are proposed to the property.

The applicant's intent is to design an existing adobe historic structure in the Westside-Guadalupe Historic District while improving its energy efficiency and arrangement of living space to maintain longer use to ensure residents can continue to reside in this historic district.

The renovation includes new electrical, plumbing, and radiant heat systems.

STAFF RECOMMENDATION

Staff recommended approval of the proposed project, as it complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(I) Westside Guadalupe Historic District Standards.

QUESTIONS FOR STAFF

Chair Rios said staff indicated the existing house sits way back from the street. She wondered if the open space would remain with the proposed project.

Ms. Bordegaray said yes that will remain vacant.

Chair Rios asked for more information on the roofing material and color.

Ms. Bordegaray said the roofing material is corrugated metal. She believed it would be galvanized metal and have no color.

APPLICANT'S PRESENTATION

John Hertz, 316 Harrison Ave. in San Antonio Texas, was sworn. He said Ms. Bordegaray did a great job presenting the project. He explained he is an ex Santa Fe resident and is moving back after 40 years. He used to work at City Hall in the Planning Department. He is converting the triplex into a duplex with the intent to live in the largest portion.

QUESTIONS FOR APPLICANT

None

PUBLIC HEARING

Stefanie Beninato, PO Box 1601, was sworn in. She said she had expected a response from someone earlier when she asked if the Board would consider nominating 721 Don Diego and what the process might look like.

She said regarding this house, it is an excellent project. She had two questions. One, what is the allowable height in the area and secondly, the transom over the windows look odd and are out of place over the windows.

Chair Rios asked Ms. Bordegaray if she knew the allowable height.

Ms. Bordegaray replied it is 15 feet and the proposed height of the house at the highest point is 14 feet 4 inches.

Chair Rios asked Mr. Hertz if he proposed anything on the roof that would be visible.

Mr. Hertz said there are skylights, but they are flat and far below the parapet height and not visible. The chimney is the only visible thing.

John Eddy, was sworn in. He echoed Ms. Beninato's comments that the transom windows looked out of place. They are a departure from the vernacular character of the building. Also, he thought on the east elevation as proposed, the portal should extend over the final window on the left side of the elevation. He realized that was probably not done to allow in more light but extending it would complete the sense of the portal as an architectural detail and as integral to the house. He wanted to know if that could be considered.

BOARD DISCUSSION

Chair Rios said thought that was a good recommendation to have the two windows on the east elevation under the portal.

Vice Chair Katz agreed on the comment on the transom on the windows and wouldn't object to taller windows. He also agreed with Mr. Eddy on the portal.

Member Larson wanted to see the backdoor window pattern and opening preserved. She agreed with Member Katz that a taller window might be more appropriate or maintaining the window without a transom would be fine.

Member Guida said this is a nice project and he liked that the proposal creates a principal residence and expands to additional housing on site. Transoms over the doors are fine but eliminating the transoms above the windows and making the windows taller would be good visually, and probably save some money too.

He liked the proportion and massing of the east elevation as is. But he could appreciate the concern raised on the last window. He offered an alternative to lengthening could be to move the window to the left to be more on its own and less related to the portal. But otherwise a nice project.

Mr. Hertz thanked the Board for their comments. He asked to explained why he proposed the project as he did. Moving the window to the left would be a problem because an existing gas main is at the corner of the house. The gas meter would have to be moved and would cost several thousand dollars, and the position is determined by Code. On lengthening the portal, in his experience adobe houses tend to be dark. The southside of his property is close to the property line with a fence and would be difficult to take advantage. The main part of the house only has exposure on the northeast and west, and the idea was to have more light coming into that window.

Mr. Hertz said he likes the proportions as drawn. There is balance between the area uncovered by the portal on the left and the taller portion on the right of the east elevation that does not have a portal. To him that is more balance than having the portal extend further but is an aesthetic decision.

Mr. Hertz said it is acceptable to him to eliminate the transoms and raise the window height if allowed to make a taller window consisting of two single panes. And if he were not required to have divided light windows which would exceed the 30" diagonal limit to single panes. Also, none of the other windows have divided lights. However, he would hate to remove the transom and not raise the windows and then have the issue that the house would be darker without the transom.

Chair Rios said the project is located in the Westside Historic District that does not require divided light windows.

Mr. Hertz said he would accept a compromise of taller windows to the height of the top of the transom.

MOTION: In Case #2020-002356-HDRB, 224 Maynard Street, Member Guida moved to approve the project as drawn with the exception of the transoms above the windows and the applicant should return with updated drawings of the taller window replacements to staff. Member Roybal seconded the motion.

.VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

2. **Case #2020-002254-HDRB. 141 Camino Escondido. Downtown & Eastside Historic District.** ~~David Schutz~~ John Murphy, agent for John Josephakis, owner, proposes additions, window replacements at a contributing residence and demolition of a non-publicly-visible, freestanding, non-contributing structure. (POSTPONED FROM 7/28/2020) (Angela Schackel Bordegaray)

Ms. Schackel Bordegaray noted there were errors in the staff report that have since been corrected and provided to the Board. The corrected report is attached as Exhibit "1".

Ms. Bordegaray presented the staff report as follows:

STAFF REPORT

141 Camino Escondido is a Spanish-Pueblo Revival-style house located in the Downtown and Eastside Historic District. The property includes the 1,673 SF main house near the center of the lot, a 663 SF guesthouse behind the main dwelling, and a 350 SF free-standing, open concrete block structure on the south side of the lot. At the July 28, 2020, Historic Districts Review Board hearing, the Board designated the main house contributing, with the west and north elevations (sans the bay window) primary facades. The Board additionally granted contributing status to a street wall and deemed the abovementioned guest house and concrete structure non-contributing (Case#-2020-002255).

To the east and rear of the main house is a casita that was once a one-car garage. The front of the building was added after 1973, to serve as guest quarters. The street-facing elevation is a nearly solid wall with two windows. The barbeque structure, built in the 1950s, sits to the southwest of the main house.

The applicant proposes to demolish the freestanding "barbeque shelter" at the southeast corner behind the main house. The structure is not "harmonious with the house's style or period and according to its recent historic survey does not reflect the preservation's ordinance's design objectives." As stated above, both auxiliary structures were designated "non-contributing" at the previous board meeting. Further, "it lacks many of the refinements and characteristic features of barbeque shelters of the period." Based on this and that the structure is not publicly visible, its demolition would not erase "an essential part of a unique street section" per Section 14-3.14 (G) Standards for Demolition of Historic or Landmark Structures.

The proposal includes three main work items.

1. Construct a 391 square foot master bedroom suite addition on the southeast corner of the main house.
2. Replace the existing guesthouse with a new guesthouse.
3. Add a single car garage at the end of the driveway near where the original garage stood. The garage will combine with a new guesthouse into one unit.

The current owner purchased the property in 2019 and wishes to renovate the main house and guesthouse. To do so, the applicant wishes to add a master bedroom suite. The present guesthouse is not well laid out, consisting of only a room added to an older garage. The proposal is to update the space with a full-size bedroom and a modern kitchen. With no car shelter on the property, a small garage is considered a necessity.

The 391 square foot master bedroom suite will attach to the main house as a rectangular volume off the southeast corner. Its ceiling height will be 10'-0 with the parapet at 12'-6", approximately 2'-0" higher than the parapet of the main house. It will include French doors on its east and west elevations. For weather protection, it will have flat-roof portals over each door. A separate roofed shelter of the same design will be installed over the house's existing east entry. The freestanding concrete block structure will be demolished to allow for the addition.

The proposed 270 square feet garage has a cube-like volume with an 11'6" parapet height. The garage will have a traditional overhead door on the west, street-facing elevation. The steel panel door will be painted in a lighter earth tone to complement the main house's stucco color. From the street, it will give the appearance of a traditional one-car garage, as historically found on the property.

A new guesthouse is proposed to replace the non-contributing structure. The guest quarters has a parapet height of 12'-6" and harmonizes with but does not mimic the main house's architectural characteristics. It will include a 314 square foot portal across its north elevation.

The non-historic vinyl windows on the main house and guesthouse will be replaced with new units. These are white wood-clad casements windows with a four-light division. The rough openings along the designated primary facades will remain essentially of the same dimension, taking into account slight shifts that will need to occur to accommodate the new units. The windows on the primary facades will include a wood division bar (false mullion) to replicate their historical appearance. The openings along the south elevation will change in size and location to accommodate the guest bedrooms' headboard position. The same type of window is proposed for the master bedroom suite and the guesthouse additions. The selected doors are of the same clad design. The existing east main house patio door will be replaced with a larger size unit with a four-light division to match the windows.

The additions will be constructed of stucco-faced 2x6 framed walls with 2" rigid board insulation. They are designed to harmonize with the architectural characteristics of the main house. This includes the use of cube-like volumes, rounded parapets, portals, divided light windows, and a cementitious stucco finish. The details, however, will distinguish them from the older buildings.

The main house, master bedroom suite, guest house and its expansion will be stuccoed with a cementitious coat in the Pecos color, an earth tone shade similar to the El Rey's "Adobe" color.

The white color scheme of the main house's front portal will be retained as part of the restuccoing. Proposed light fixtures at the master bedroom suite and guesthouse additions, consist of thin profile black iron wall sconces.

The west front street wall and the south and north property yard walls will not be modified in height but will be repaired and re-stuccoed with a cementitious stucco in the same color as the residential units.

There is no visible rooftop mechanical equipment proposed for either the main house or guest house additions.

STAFF RECOMMENDATION

Staff recommended approval of the application in compliance with Section 14-5.2(D), the General Design Standards for all Historic Districts; 14-5.2(D)(9) Yard Wall Height, Height, Pitch, Scale, Massing and Floor Stepbacks; 14-5.2(D)(5) Windows & Doors; and 14-5.2(E) Downtown and Eastside Design Standards.

QUESTIONS FOR STAFF

Chair Rios noted that the west and north are primary facades. She asked if Ms. Bordegaray discussed with the applicant the mullion pattern on the windows and the reasons why.

Ms. Bordegaray said she had not discussed that with the applicant.

Chair Rios said when a historic house, particularly when primary facades are designated, the Ordinance tells to replace in kind. That should be considered in this application.

Vice Chair Katz said he also had a question if the windows proposed meet the 30-inch rule.

Ms. Bordegaray said they do.

Ms. Roach asked if Chair Rios was referring to the lentils and not the mullions, that divide the light pattern.

Chair Rios clarified she was talking about the divisions.

Member Guida asked if the function of the windows would change to casement rather than double hung windows.

Ms. Bordegaray said that was not her understanding. She asked if the reference of the muntons was on the south elevation windows that will change in size.

Member Guida said they are referring to all of the house, put particularly the west and north elevation determined to be contributing. It appeared the divided light pattern is changing from a double hung window to a casement in addition to the function and style.

Ms. Bordegaray displayed the west elevation proposed that is a larger light pattern. She said that will change. The existing windows were replacements of vinyl windows. She wasn't sure whether they replicated the existing light pattern. It is a different light pattern than the west elevation and the existing windows. The applicant could speak to that.

Chair Rios asked when the existing windows were replaced because they could also be historic even if not the original.

Ms. Bordegaray said the information is most likely in the historic inventory presented during the last Board meeting. She didn't know the date of the windows or if they were replacements.

Member Biedscheid asked if the mullions would be retained in the window replacement.

Ms. Bordegaray said she could not speak to that.

Member Biedscheid thought the report had indicated a steel garage door on the original garage that is historic. She asked for information on the use of the steel door that is in keeping with the historic door.

Ms. Bordegaray didn't know the material of the original garage door.

Member Roybal asked about the windows on the south side of the main house about the change in style. Also, he was concerned about the egress on the smaller windows and if that was standard.

Ms. Roach pointed out the HCPI indicates the majority of the 6 over 6 light windows are vinyl windows leading her to believe the windows are not historic. Replicating a non-historic light pattern would seem of less concern for the Board than replicating historic.

Chair Rios asked to confirm they did not know the age even if the windows are vinyl windows.

Ms. Roach replied she did not believe vinyl windows were used historically.

Chair Rios said 50 years ago in her youth, isn't that long ago.

Member Larson said the windows are probably after 1980 if a vinyl material.

Vice Chair Katz said the HCPI report says the windows were replaced in 1973.

APPLICANT'S PRESENTATION

John Murphy, 2833 Plaza Verde, was sworn in.

Chair Rios asked Mr. Murphy to address the Board's concerns about the windows and mullions.

Mr. Murphy explained the windows are from the 1990s/2000's and all except one are vinyl units with insert grids that mimic the light pattern. He spoke with the grandmother and the daughter and neither recalled the window pattern. They don't know what the windows looked like, but they were on the property until about 1969.

He said on the front west elevation primary façade, the applicant proposed a 4-light casement clad unit and the division bar on the false mullion will be retained or reconstructed if in poor condition. The windows along the north and west elevations will retain their overall original aperture. The false lintel will be refurbished or cut to match what is currently in place. Those things are all he knew about that remains historic.

Chair Rios said she is familiar with the neighborhood and lived in the area all of her life. She felt that the vinyl windows are more in keeping with what had been in the neighborhood. She thought when looking at the existing windows and at the proposed it was amazing how big the difference.

QUESTIONS FOR APPLICANT

None

PUBLIC HEARING

John Eddy, previously sworn, asked to see the east elevation on screen. He had a question on the setback of the windows from the corners.

Ms. Roach clarified that the tapered corner is only required on publicly visible corners and the east elevation will not be.

Mr. Eddy said he anticipated that. He did not object to the window changes and thought they simplify the aesthetic of the house and possibly allow more light. Overall, he likes the project, especially that the applicant limited the garage behind the main house to a single car garage. That is appropriate and will not impact the streetscape as a full-size garage would. He appreciated the project.

Ms. Beninato, previously sworn, voiced concerns on the light changes on the window patterns. The Board should assume the 6 over 6 was there originally and had

been replaced in kind. It is clearly distinctive. She asked on the changes in height, that her understanding is it will go up to 12'6" to accommodate 10-foot interior ceilings in the guest unit and the main house. She was curious the height of the main house and what is permitted in that area. She pointed out Camino Escondido does not mean quiet, it actually means "hidden". She said we will have to start changing our vocabulary about "master" bedrooms because the term is interpreted now as sexist/racist. She suggested main bedroom be used instead.

BOARD DISCUSSION

Member Biedscheid appreciated that the addition was very thoughtful, especially to the main house. The one car garage addition opposed to two cars in this neighborhood is in keeping with the scale and appreciated. She wondered on the if the steel garage door would be painted to match the stucco or if the applicant had considered a wood-paneled door. Wood is a popular choice in the neighborhood.

Mr. Murphy stated he would like to go back to the conjectures of what the light division was historically. They absolutely do not know. Casement windows were very popular at that time as well as double hung and 6 over 6 was more traditional to a Territorial Revival style. He thought the Board should be flexible in the light pattern.

Regarding the garage, the original owner could not recall what it was. The applicant is willing and has considered a wood-paneled door if the Board feels that more suitable. Also, as referenced by the Board several times, the applicant purposely placed the garage in the location it was historically, he kept it to a one car garage. Something much more obtrusive could have been adjacent to the house or at the end of the driveway.

Member Guida said it is good for the Board to have this conversation. He thanked Mr. Murphy for clarifying the concerns on the windows and the history. He said Mr. Murphy raises an important point about conjecture. He clarified what the Board is looking at in terms of the existing vinyl windows, that may or may not have been there at one time. Because they don't know for sure what the original light pattern was and because the design of the remodel is so consistent in applying a new window pattern in the openings, the guest house and the main house, he is fine with the project taking those liberties. It is a good sensibility. They don't know, and so they are putting something else in that is integrated with the total design idea. He applauds that approach.

MOTION: In Case #2020-002254-HDRB, 141 Camino Escondido, Vice Chair Katz moved to approve as submitted with the condition that the garage door be wood paneled not steel. The motion was seconded by Member Biedscheid.

Member Biedscheid added she wasn't necessarily suggesting the door be wood paneled. She suspected there is rationale why it was proposed as a

steel door. She loved the idea that the owner is restoring the garage at the end of the driveway in the original location. She thought if the applicant feels the steel door is a better choice, she is also fine with that.

Vice Chair Katz said he also appreciated how the garage is being done. It is so traditional in these neighborhoods. He said his condition was because generally the garages have wooden doors and that Mr. Murphy represented that the applicant would be comfortable with a wooden door. He thought the wooden door more in keeping.

Chair Rios thanked Vice Chair Katz for his comments. She happened to agree with him. She also thanked Member Biedscheid for her comments.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

3. **Case #2020-002359-HDRB. 510 Halona Street. Downtown & Eastside Historic District.** Garrett Werner, owner, proposes to increase the height of an existing yard wall at a non-contributing residential property. (Angela Schackel Bordegaray)

Ms. Schackel Bordegaray presented the staff report as follows:

STAFF REPORT:

The house at 510 Halona non-contributing. The residence sits at the corner of Halona Street and Winishe Way in the Downtown and Eastside Historic District. Designed in Spanish-Pueblo Revival style, it is flat-roofed and wall-dominated with wooden posts, beams, corbels, projecting canales, and stuccoed tan (El Rey's "Buckskin). A low stucco yard wall bounds the house at the corner of the north and east elevations. Approximately twenty feet back from Winishe Way, the eastern yard wall steps up to five feet. (See photograph "Pedestrian Gate Location" showing the existing east side yard wall.)

The applicant proposes to raise the height of the yard wall from two and ½ feet to five feet, add a pedestrian gate on the east side, and install a vehicular gate on the north side bridging the house with the garage and studio structure west of the residence. The need for a corner "visibility triangle" is met by the addition of wrought iron atop the existing low yard wall. The wrought iron will be one inch in diameter with clean lines and distressed appearance. The extent of the wrought iron portion is 10 feet along Halona and 15 feet along Winishe Way. The maximum allowable wall and fence height is five feet in this

streetscape. The applicant wishes to add a 5 feet high pedestrian door (wooden, to match existing garage wood and stain) to the Halona Street facing yard wall for better pedestrian access and circulation. The CMU wall with have a three-coat stucco finish to match the house and garage.

The proposed vehicular gate will span the open distance between the house and the garage fronting Wenishe Way. It will extend 20 feet with a height of four feet, ten inches with iron detail. The gate will rest on an electric roller platform.

The family seeks this change to provide security for their young child and dog, as they note in their proposal letter that speedy traffic on Halona has increased significantly.

STAFF RECOMMENDATION

Staff recommended approval of the application in compliance with Section 14-5.2(D), the General Design Standards for all Historic Districts; 14-5.2(D)(9) Yard Wall Height, Height, Pitch, Scale, Massing and Floor Stepbacks; and 14-5.2(E) Downtown and Eastside Design Standards.

QUESTIONS FOR STAFF

Member Biedscheid noted a coyote fence was shown on page 17 but was unclear where it was located.

Ms. Bordegaray understood the coyote fence was along the back of the property and is 6 feet high, but the applicant could clarify that.

Member Biedscheid asked the color of the wrought iron. She was told it was distressed, not black.

Member Guida expressed concern about the completeness of the drawing packet. Also, he too was confused by the coyote fence. He noted there are a lot of dashed lines for what is being proposed and no visuals. He thought making a determination would be difficult based on the incomplete materials.

Chair Rios explained to the applicants that the Board is not able to make field trips. She said regardless of whether they can make a field trip or not, it is very important, especially now, that all applications have complete details. The Board needs to know, when making a decision, what their judgment is based on.

APPLICANT'S PRESENTATION

Garrett Lee Werner, 510 Halona Street, was sworn in. He said he could answer the two questions. The coyote fence is located on the back of the property bordering the

opposite sides of his neighbors. It is misleading on the document, but the fence was installed prior to them moving in and borders his neighbors.

The wrought iron will be congruent with what they see at the Santa Fe Community Foundation. The wrought iron is a distressed brown matching the aesthetics of the environment of the area. The main reason for this is they have two dead-end roads that they thought would keep their kids and dogs safe with the low traffic and easy location. However, it is anything but, and is shockingly high traffic. His neighbors mentioned how people fly down the road at 80 miles an hour and then slam on their brakes.

Mr. Warner said the front portion of the property has been completely unusable for their small children and dogs because of the vehicle traffic, and more importantly, now they have an increased amount of unsavory pedestrian traffic. That has created an easy access to their front door and caused many unnerving incidences. People come by at all times of the night and the panhandler situation has driven them to do something like this.

QUESTIONS FOR APPLICANT

Vice Chair Katz said he appreciated a section of the fence is done in wrought iron. When driving by and looking down Halona you will be able to see through the wrought iron and is part of the visibility. It works well, and he compliments the owner on how he handled the issue.

Member Bienvenu said he has the same problem with the drawings and what is proposed, specifically in regard to the wrought iron. Now with the reference to the Community Foundation Building he has more clarity. The wrought iron fence and gate detail was not well indicated on the drawings. He asked if the applicant intended the wrought iron to have the points on the top.

Mr. Werner said yes, the idea is the wrought iron will be part of the vehicle diagonal so turning traffic could see through and mimic the height of the Community Foundation. The vehicle gate will be identical to the current cedar garage door with small iron trim to keep the aesthetic.

Mr. Warner explained he had to let his general contractor go midway through the process. He, who is not a general contractor, tried to combine as much material as possible to present to the Board.

Member Bienvenu said he is aware the Community Foundation has wrought iron around windows and have security windows and doors. He didn't recall the style exactly. He asked if it the Foundation has the same detail as shown on the drawing.

Mr. Werner said yes, the same gentleman who did the Foundation's work will do this. It is proposed as a 1-inch diameter that goes around the corner of the 10 foot and 15-foot triangle. The idea is a distressed rustic look giving the aesthetic that the buildings appear to be built by the same person.

Member Bienvenu noted the Community Foundation has a strong presentation of being a recent renovation, not an old building.

Mr. Werner replied his house is only two years old and has been made to look older.

Member Guida asked what the gate would look like.

Mr. Werner described the gate would be mounted on a concrete slab roller and the gate itself would be horizontal cedar wood. It literally would be like a giant cedar gate with some iron trim to break up the wood pattern. They want to keep the wood aesthetic because it matches the garage and is visible from the road and needs to be cohesive.

Member Guida said given the area and this degree of change this warrants some proper design drawings, at least to the standards the Board requires for every project. He needs to have actual drawings that show the proposal with color samples, grill samples etc., to show what is being proposed.

He acknowledges and understands some of the concerns of having a more significant yard wall. His concern is that even with this limited documentation, this would be a security fence and he is not in favor of that.

Mr. Werner agreed. He has provided photographs to Ms. Bordegaray of the gate, and the wrought iron. Unfortunately, Scott Gate Company in Albuquerque did not supply him with the drawing prior to this hearing.

Ms. Bordegaray noted page 14 had the images he sent.

Mr. Warner said he wasn't sure if that would be sufficient.

Member Guida said for him it was not, he needs drawings of what is proposed for this property, not a photo of someone else's property.

Chair Rios described that page 14 had a picture of the vehicular gate; however, Mr. Warner had described a cedar and iron trimmed gate. She asked if that was what the picture on page 14 was.

Ms. Roach said it is a cedar wood gate with metal trim in the picture, but in a black and white photograph.

Member Biedscheid asked to hear from staff because staff expects the packet to be complete. There is no requirement for applicants to have professional drawings.

She thought part of the applicant's wall is currently at 5 feet and he proposed to extend a smaller wall to that height. She recalled a power station of some sort that had even a taller wall and would help if the neighborhood walls were addressed.

Ms. Bordegaray addressed the walls describing the property directly across the street from the power station. Their walls are at least 8-9 feet of cement block and the maximum allowable streetscape height in the neighborhood is five feet. Traditionally, historically there were either low walls or no walls, but based on the properties there and in previous cases, the maximum allowable height is 5 feet. There are no other 2 1/2-foot-high walls in that neighborhood on the corner.

She said she shares Member Guida's concern of not having a replication of the vehicular gate. The applicant had to pull this together after letting the contractor go and she did her best to get the details for the Board. She agreed the streetscape warrants an accurate representation of what is proposed. She has been working with the applicant and was comfortable that the vehicular gate would not be higher than the maximum allowable height.

Ms. Roach explained the photographs in the packet were not available to put into a PowerPoint.

Ms. Bordegaray brought up the photograph of the north elevation showing the relationship of the house. She pointed out the house and the garage/studio location. The vehicular gate will stand from the yard wall. She noted the area the applicant wanted to put in a door and raise the height of the yard wall.

Chair Rios said seeing the photographs clarified things for her.

PUBLIC HEARING

Stefanie Beninato, previously sworn, expressed concern about the drawings. She was surprised staff brought this to the Board without more detail. Providing photos of another property is different than looking at drawings for the property. The Community Foundation might have wrought iron on the windows, but they don't have a wrought iron wall. She didn't think anyone on the street did. She runs on Halona frequently and there is no one there so she laughed when she heard comments about people driving 80 miles an hour. She appreciated the wrought iron that is used at the corner because it allows the property to be visual. She thought the applicant should return with more complete drawings with more detail. Using the wall for the power station is inappropriate as it is not

a residential structure and she was sure there was a different code requirement for shielding the station from a residential area.

John Eddy, previously sworn, agreed the power station is completely irrelevant. He commiserated with the owner, having people wander onto your property is not good and they are seeing more of that in Santa Fe. Part of the charm of the property is that there is a variation in the masonry wall surrounding some of the property. He appreciated the wrought iron fencing with the spear point tops would give them more security. It states it is a round rod, but he believed it is a 1-inch square rod. Also, a pedestrian gate adjacent to the sliding vehicle gate should possibly be 5 feet tall as well and made with the wrought iron. Although a departure, he appreciated the need for security for the homeowner.

BOARD DISCUSSION

MOTION: In Case #2020-002359-HDRB, 510 Halona Street, Member Guida moved to postpone the case to allow the applicant to return with complete drawings that include the existing elevations along the two streets, and separate proposed elevations along the same two streets showing the pedestrian gate, the wrought iron fence that will be on top of the low wall, and the design of the vehicular gate. He also suggests that the applicant and his fabricator focus on consistency in the design with less new materials and considering making the wrought iron fence proposal look less foreboding by eliminating the spear points on top of the fence. The motion was seconded by Member Bienvenu.

VOTE: The motion passed by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

Chair Rios asked the applicant to bring back his plans with more detail and accuracy of what is being proposed. She said he should work with staff.

Ms. Bordegaray asked to clarify that the motion was to postpone allowing the applicant to provide drawings of existing elevations for east and north façades and proposed elevations for both, that show both the vehicular and pedestrian gate and the wrought iron details.

Chair Rios said that is correct.

Ms. Bordegaray clarified that she understood the pedestrian gate to be proposed on the east elevation and was not aware of a pedestrian gate next to the vehicular gate.

Chair Rios explained the applicant should bring back anything existing and what he is proposing. The applicant is not required to hire an architect, designer or draft person, but the drawings should be easily read by the Board. She said that is an advantage to the Board but to staff as well when the applicant goes to get the permit.

Ms. Paez asked if the Board wanted to consider postponing to a date certain.

Chair Rios asked staff to contact Mr. Werner and work with him on a date.

4. **Case #2020-002355-HDRB. 806 Don Gaspar Avenue. Don Gaspar Area Historic District.** Daniel Strongwater, applicant/owner, proposes to replace a shingle roof with a metal roof on a contributing residential structure. An exception is requested, per Section 14-5.2(D)(6). (Daniel Schwab, 955-6660, dnschwab@santafenm.gov)

Mr. Schwab presented the staff report as follows:

STAFF REPORT

806 Don Gaspar is a single family residential structure designated Contributing to the Don Gaspar Area Historic District. The house was built in 1911 in a "cottage" style. It has shallow gables in the front, wood shingles and a diamond-shaped fixed pane window at the gable end. It has a tar shingle roof which is presumed not to be original, and also not historic. In 2000, it had "dark" shingles and white trim and an unknown roof material. In 2018, the wood shingles had a brick red color, painted many years before. The shingles, wood corner and horizontal trims, fascia boards, fireplace chimney brick, soffits, and ceiling of the front porch were painted in Dunn Edwards "Vapor," which is an off-white. In 2018 the structure also underwent an interior remodel, and an addition was constructed with vertical wood siding and a galvanized standing seam metal roof.

The applicant now proposes to re-roof the historic portion of the structure with the tar-shingle roof, which, according to the applicant, is ten years beyond its intended lifespan. The applicant proposes replacing it with metal Victorian Tile from Berridge Manufacturing colored a matte "Shasta White". An exception to Section 14-5.2(D)(6) is requested, which states that "the existing roof styles and materials shall be maintained or replaced in kind if necessary." The complete responses to the exception criteria are given in the packet. The applicant chooses this material for the following reasons, presented in the application:

1. It makes the structure more compatible with the district, as there are several structures on the street that also employ metal Victorian shingles;

2. It has a longer use life than tar shingle, thus reducing waste;
3. It allows rainwater run-off to be used to safely to irrigate the garden while tar shingle roofing contaminates the water, making this impossible.

STAFF RECOMMENDATION

Staff recommended that all the exception criteria have been met. Staff recommended approval of the application as it complies with 14-5.2(D) General Design Standards for all H Districts, and 14-5.2(I) Westside-Guadalupe Historic District.

QUESTIONS FOR STAFF

Chair Rios asked how far back the house is from the frontage street.

Mr. Schwab replied he couldn't say in feet, but it sits considerably back compared to other houses. He guessed 50 or 60 feet. It is unusual in its siting and sits far back with a large home garden in the front.

Ms. Roach said looking at the site plan it is about 90 feet.

Chair Rios asked if Mr. Schwab was familiar with the Shasta White color.

Mr. Schwab said the Shasta White is off-white and similar to Calm, but he did not have a sample.

Chair Rios asked if that is a common color for this neighborhood. Most of the original Victorian style houses are pitched roof homes and have shingles. Now they are switching to different elements like the Victorian tile roof. She preferred Victorian tile if they are going to do something different, rather than a standing metal seam roof. She thought a shingle roof is soft and doesn't call out for attention but standing seam metal roofs do, especially if tall and heavier.

Chair Rios asked to see the pictures of the four homes because she thought the house on the upper right had a very shiny metal roof. She was grateful a matte finish is proposed because that metal roof has not matted even a little. She wasn't sure what the house had at 532 Don Gaspar because it is a white powder.

Ms. Roach thought it was painted historically and the paint was wearing off.

Mr. Schwab said he is not familiar with the entire street but knew the applicant was familiar with the houses and supplied the photos. He believed the two upper photos are roofed with the same tile, one is more aged and therefore less shiny. He thought 532 on the left was the same shiny material but had aged. The applicant provided him with the tile, which he forgot to bring, but it is a matte tile in a soft white color and not reflective.

He noted the packet includes the minutes and the discussion from the last meeting on the coloring of this house and how it dramatically changed from the original. It had a brick red painted shingle for decades, although probably not original. Presumably, it had natural wood shingles originally and the color scheme was very dark. Now it is moving to white shingles and an almost white roof is proposed. The shingles have a different appearance than the standing seam with the intent to differentiate the historic structure from the modern addition. The applicant can address why he chose the color, but he believes the primary decision was around the material and the applicant's strong ecological sensibilities.

Member Bienvenu asked about comparable houses in the neighborhood. He wondered if the ages of the roofs and what was original is known for the three houses; two in the 500 block and one in the 900 block.

Mr. Schwab did not know what was on the roof originally, but one roof appears to have been done in the last two to five years.

Member Bienvenu asked if the metal tiles were the same as proposed and if any of the houses were known to have historic metal tiles on the roof.

Ms. Roach replied there are numerous examples of metal tile roofs in the Don Gaspar area. However, this is a very different style of architecture than most roofs with metal shingle roofs. This is a wood shingle cottage style house and very few examples are in Santa Fe. An addition was approved with a standing seam metal roof and vertical wooden siding and allowed to be painted white. She felt there were a number of things on this house that should not have happened, and it already looks somewhat hodgepodge. She cautioned the Board to be as consistent as possible with the historic architectural style of the original portion of the home, and not just try to match other houses that have other styles.

Mr. Schwab responded that the applicant is trying to be faithful to the architecture but concerned about being able to reuse the water off the roof. He was open to suggestions that would allow him to harvest the water while sealing the roof.

Vice Chair Katz asked if gutters were planned around the tile roof.

Mr. Schwab deferred to the applicant but presumed there is probably a gutter because there is a system to harvest the water.

Vice Chair Katz applauded the applicant for their ecological concerns. He said he shared Ms. Roach's concern and was not as pleased with the color scheme chosen to replace the red painted shingles in front, and not at all pleased with white tiles. He saw nothing in the record that said asphalt tiles are bad other than applicant's allegations. On

Google he found there is an issue with asphalt tiles. So, he is comfortable using the metal tiles but just can't accept the white color. It would be more acceptable of a color that more closely mimics what is there. He asked if a pallet of colors were available. He thought it would be nice to see the colors of something more consistent with this historic house.

Mr. Schwab suggested asking the applicant who chose the colors. He thought there were probably a variety of colors.

Member Larson said historically this type of roof would not be compatible with this type of style. The sample photos show single metal roofs that exist with a completely different type of architectural style. This home needs something more understated but that doesn't mean it couldn't be an alternative material or metal shingle. Something more ornamental could be compatible with this more rustic style of house and should still be compatible with the standing seam metal roof to differentiate slightly.

Mr. Schwab noted that a Board member was concerned that it was something ostentatious or understated. This is not a reflective color. They look like shingles that are small rectangular plates and are in a matte color and look almost identical to a tar shingle roof. The only alternative that would be more understated would be something like a wood shingle roof. The choice of color and the matte would not draw a lot of attention.

Member Larson explained her argument is because she looked up the shingle and it appears to be more artful, but that is her mistake. She said that incorrectly. She would like to see the exact sample, if possible.

Mr. Schwab said he could provide that.

Chair Rios asked if the proposed metal tile is the same size as the tar shingles.

Mr. Schwab said yes, they are approximately the same size as a shingle and are about 4" x 6", possibly smaller.

Member Guida asked Mr. Schwab if he had insight as to what the Board's thinking was to allow a standing seam metal roof to be added to the house.

Mr. Schwab said the packet has the discussion on the color and there are minutes of the conversation.

Member Guida thought it unlikely this Board would have permitted something like this. He asked if anything would preclude standing seam metal to be used on this house.

Mr. Schwab said the only thing would be the principle. The Code has a general preservation principal that the existing and new structures be differentiated from one

another to not create a false sense of history. It would seem that a standing seam metal across the entire structure would blur the line between the original and addition.

Member Guida thought it seemed a line often crossed.

APPLICANT'S PRESENTATION

Daniel Strongwater, 806 Don Gaspar Ave., was sworn. He said this has been a long process with the house. He and his wife care deeply about the home, the neighborhood and place. His wife is third-generation Santa Fean and they bought the home to move back to town. They want to make the front yard into what they thought the potential always was, to be a vegetable and fruit garden.

They have worked closely with previous members of the Planning Division through the whole process and with architects and builders. He wished they were made aware of the concerns at the time on the paint colors and other features. The feedback they received from the Board was to move the light gray/white of the house and the dark gray of the trim closer together. We did that and we would have been open to other options related to the paint colors and regret that discussion didn't happen then.

Mr. Strongwater said they are also concerned with the ecological impact of their home and researched extensively on different types of roofing materials available. The house originally had a wood shingle roof that has been layered over multiple times with tar shingle roofing material. We are quite aware that there is a lot of material that needs to be removed to replace and would like to avoid that in the future. In addition, a concern is the guidance received around the historic importance of the home and that the new addition should appear separate and different. They reviewed material options that would be reusable for their garden; silicone sheet roofing and other forms of metal roofing. They thought those would not be acceptable because it would appear too similar to the new addition.

Mr. Strongwater said they decided on the Victorian tiles. There are many precedents in the neighborhood, despite members saying our home is a slightly different style than many of those with the metal tiling. Also, the roof is not very visible from the street, especially on Don Gaspar. Although you can see the side of the house on E. Berger St. over a 7-foot wall.

Mr. Strongwater said the last thing was in regard to the color of the roof. One of the biggest issues in comfort in living in the house now is that the roof gets hot, especially in the summer. Our home does not have air conditioning and our color selection more to do with the reflective nature of white. Out of concern for neighbors and those driving by, they chose not to go with the galvanized option. The roofing tiles are made in two different versions, Victorian shingle proposed and shapes such as fish scale and classic shingles.

They chose the shape because it mimicked what was in the neighborhood but are open to other suggestions. This has been a long journey to find the right roofing material and would be nice to come to a resolution.

He said on the gutters, they propose similar gutters to what was used on the new addition of four-inch square galvanized gutters. Again, he was open to discussion around color and material, but would like to stay with the square four-inch gutters because of their capacity to carry rainwater. He said he would be happy to answer any other questions.

Ms. Paez noted for the record that Member Larson had shared an Internet link to the product for the shingles on the Chat. She suggested the Board pull that up on screen to see the colors.

Mr. Strongwater added he also sent a link showing the three different tile shapes offered and the proposed Victorian shingle. It is a flat embossed shape that is subtle.

Chair Rios thanked Member Larson for the link. She said being able to see that saves a lot of time.

QUESTIONS FOR APPLICANT

Vice Chair Katz asked what the problem is with wood shingles for the roof.

Mr. Strongwater replied they thought the lifespan is nowhere near that of metal shingles. Also, when doing renovations, they had to replace some cedar siding shingles and found it incredibly difficult to source them. They found the shingles had to be brought in from very far away. They also don't believe the roofers in town have the experience to put up wooden shingles. They are concerned with quality control, lifespan and availability.

Vice Chair Katz said he would like to see all of the color opportunities.

Mr. Strongwater indicated all of the colors are available on the website.

Vice Chair Katz asked if there is a similar color on the list that would replicate the current color of the roof.

Ms. Roach said they know the shingles on the roof were wooden and were most likely brown. She suggested a brown color be considered for the shingles, especially since the siding of the house is not reflective of the original dark color. She noted in the minutes from the meeting in which the paint color was approved, "Vapor" was not approved. A condition of approval was that "Vapor" be changed to a darker gray.

Mr. Strongwater said they used a different brand of paint, so the names of the colors don't match exactly, and they went a step darker on the color chart.

Chair Rios said she appreciated Ms. Roach's comments regarding the color. She suggested if the Board went with shingles they need to try to replicate the color there.

Member Roybal had no objection with what was presented. His concern is for the client who stated he didn't know about the heat transfer of a darker color. The applicant said he chose a light color because of the reflective qualities. Mr. Roybal asked for more information on the difference between the dark and light color as far as the heat in the house. He noted the applicant does not have air conditioning and that should be taken into account.

Mr. Strongwater replied he has no direct knowledge; it was simply intuition and his experience of color reflection. He offered to contact the company for details. He said in his experience there is a significant difference with galvanized and dark brown metal roofing.

Member Guida asked the applicant if there were no restrictions if he would consider a standing seam roof.

Mr. Strongwater said yes he really likes them, and it would meet the performance requirements. The question would be if galvanized or white would be acceptable.

Member Guida said for the benefit of the Board and the discussion, he is 100% opposed to an attempt to put faux Victorian metal shingles on a Craftsman cottage style house. That it is somehow part of the streetscape because houses with entirely different styles have similar roofs, doesn't make sense. They need to look at this house for what it is.

Member Guida said this Board would have never approved a standing seam metal roof addition anyway. Obviously the most consistent and harmonious decision would be to replace with an asphalt shingle roof. This house already has a standing seam metal roof on this house, and it is more neutral and historically sensitive than a Victorian shingle roof on a Craftsman style house.

He said the choices here; to reverse some of the hodgepodge this Board has allowed and choose an asphalt shingle roof in gray that coordinates with the paint color of the house and the galvanized roof and deny the applicant the ability to harvest water off his roof. Or to go a step further and a more consistent overall look of having a standing seam metal roof on the main house. They could specify it be less reflective.

Member Guida said even that the Board is considering this is jumping through ridiculous hoops. The Victorian shingles are not appropriate for this house by any stretch.

Member Larson said in the discussion of replacing with a period appropriate shingle, they have come to an understanding that is prohibitive for the applicant. A significant portion of the house is already cedar siding. It would not be a huge detriment for the historic character to put a standing seam roof on the historic section. It would not be appropriate to change the texture of the metal roof. And, performance wise the applicant will probably get the same results than the standing seam or Victorian shingles. The Board is looking at practicality as well as the best design decision.

Vice Chair Katz asked Mr. Strongwater if there is insulation in the roof.

Mr. Strongwater said yes, he put in R-30 possibly more and they have 2x10s filled with close cells and drywall underneath.

Vice Chair Katz thought if it keeps out the cold it could keep out the heat. A dark roof without sufficient insulation would warm up the house, but with that amount of insulation he did not think the roof had to be a light color.

He said he felt responsibility to keep the old part of the house in the style that it is. Wood cedar shingles is not that difficult to do and would be true to the style of the home due to the history. He asked that the Board consider keeping at least part of the house historically accurate. It does cost a little bit more and would have to be replaced sooner than standing seam. It may only last 30 years, but that is one of the consequences of owning an historic house. They sometimes cost a little more.

Vice Chair Katz urged the Board to consider wood shingles.

Mr. Stongwater responded that there are five skylights with interior shades, and they make a significant difference in the temperature of the house. They enable them to let the sun in or out depending on the seasons. That led him to pursue the white color opposed to a darker one. He said he would be happy to come back to the Board with details on that. He said in regard to roofing materials, he would appreciate names of people who could do wood shingles locally

Member Biedscheid agreed if there was a way to keep wood shingles it would be preferred. The Code says that existing roof styles and materials should be maintained when possible. The option was plausible and would allow the owner to continue to harvest water safely. She felt the house was going so far in another direction the Board felt allowing the standing seam roof in the back on the addition differentiated it from the historic house. That was the primary concern.

She said the color scheme has been reversed and the white roof proposal is going further in that direction. She feels responsibility to pull it back in the direction that gave it contributing status in the first place.

Chair Rios said she agrees. She strongly feels that a standing seam roof is far removed from the history of the house and suggested the Board not lean toward the standing seam roof. She agrees we should try to retain the history of the house.

Member Larson said there are rustic shingle aluminum roofs that might be a reasonable alternative. They have a similar look and profile to wood without being prohibitive and wooden roofs can be very expensive. They do not have the same quality as when the house was built. Also, the applicant is already interested in an aluminum roof and it could be an alternative from the Victorian style sheet metal roof.

Chair Rios said she heard the applicant indicate a cooperative spirit and was open to types of roofing materials.

Mr. Strongwater said despite the conflicting opinion on the design direction, we have tried to be honest to the materials being used. He appreciates that the metal shingles he proposed, and the other options is honest that they are metal. He objects, from design perspective to the idea of using a faux material that approximates wood.

PUBLIC HEARING

Ms. Beninato, previously sworn, said she has always loved this house and likes the addition but agrees that this is a cottage style from the early 20th Century. It is not Victorian. She liked the idea of wood shingles that would be more honest with this type of house. They do cost more and won't last as long, but 30 years is a long time. She agrees after hearing the Board's discussion it is important to preserve the original style.

She said on the white shingles, it is about the insulation not the color of the roof. She suggested the sky lights might be more of a problem than not. Also, the applicant could consider harvesting water that goes to nonfood plants and use the water from the metal roof for the food plants. She said the Board should look at hardship as whether it is a hardship to the applicant not to preserve the wood shingles. They were no doubt the original shingles and gray and brown would be more appropriate colors.

Mr. Eddy, previously sworn, said how much he appreciated the very careful and considered discussion on the house. It is an example of how well the Board is informed. Although Board members may disagree in the approach, he appreciated their respectful and considerate communication. He agreed wood shingles are the most appropriate.

BOARD DISCUSSION

MOTION: In Case #2020-002355-HDRB, 806 Don Gaspar Avenue, Member Guida moved to postpone the ruling until the applicant returns with an updated proposal for roofing materials that may include option(s) to be considered

by the Board in the range as follows: (1) a wood shingle roof in the style of the original roof recognizing it is an exotic roof material in 2020; (2) an asphalt shingle roof that complements the house and color and the galvanized metal roof on the addition and if possible, one without antifungal and chemicals and; (3) a standing seam option that coordinates with the standing seam in the back of the house but in a more matte color appearance. Member Roybal seconded the motion.

Member Biedscheid asked if the exception criteria should be addressed.

Ms. Paez explained it is not necessary to address since the case is being postponed. She suggested it would be helpful to remind the applicant that any new proposal still needs to meet the exception criteria if not replaced in kind. That may require additional information and comments about the exception criteria concerns.

Member Biedscheid thought it was important to document why the case is being postponed. She thought the proposal failed to meet all of the exception criteria, particularly Criteria 2, hardship. The hardship to the applicant has not been demonstrated for the need to install a metal tile roof.

Vice Chair Katz said he likes the motion. He didn't know if there was an asphalt tile but that would be his total preference because that is what is there now. He would hope if they used asphalt tiles, they would be the same color as those on the roof now. The Board *is* trying to do preservation.

VOTE: The motion was approved by unanimous (6-0) roll call vote with Members Biedscheid, Bienvenu, Guida, Katz, Larson and Roybal voting in favor and none voting against.

Mr. Stongwater said his understanding was if he had chosen wooden shingle roofing that it would not require an exception, and this could be approved administratively. He asked for clarification whether possible to have the exception removed and not have to return to the Board, just go through the department.

Chair Rios confirmed what is presently there is tar shingles.

Ms. Roach said they have to assume the original roof was underneath the tar shingles that were replaced. The current shingles are not historic.

Chair Rios asked Ms. Roach if the shingles were replaced in kind would the applicant have to come back before the Board for approval.

Ms. Roach said in this situation staff has to use discretion if replaced in-kind whether the Board should review. It would still be a material change even though a conversion to an historic state. She asked the Board to direct her.

Chair Rios said she thought the applicant should return to the Board given the discussion this evening. That might put a snag in Mr. Strongwater's schedule but that often happens when living in the historic district.

Member Bienvenu asked if an exception would still be needed if the asphalt shingles were replaced. He asked if the exception was required only because the existing roof material is being changed opposed to what was there originally.

Mr. Schwab understood that an exception is only needed to change the roof material.

Member Bienvenu pointed out the *existing* roof material. It would require an exception if going to wooden shingles, even if the original, because it is no longer the existing material.

Ms. Roach said the language of the Code in multiple cases refers to the *existing.* In her interpretation she assumes what is existing means historic. Because it would make no sense to have preservation to preserve non-historic materials. This portion of the Code is a little sticky, as are so many sections of the Code. She said she doesn't have a good answer.

Member Bienvenu said he agreed and wondered for his own benefit. It isn't clear to him either what existing refers to, whether the tar shingles or original wooden.

Mr. Schwab suggested for the benefit of the applicant and staff the Board should clarify whether the applicant needs to apply for an exception.

Ms. Roach said respectfully that conversation should be between staff and the City Attorney's Office.

Chair Rios agreed it was a deeper discussion.

Chair Rios said the postponement passed by roll call vote. She thanked the applicant and said they will see him when he returns.

5. **Case #2020-002357-HDRB. 203 East Santa Fe Avenue. Downtown and Eastside Historic District.** Wayne Lloyd and Associates, agent for the Watsons, owners, proposes to construct an addition on a significant residential structure. Two exceptions are requested to remove historic material and to construct on a primary façade, per Section 14-5.2(D)(1)(a) and Section 14-5.2(D)(2)(c). (Daniel Schwab)

Mr. Schwab presented the staff report as follows:

STAFF REPORT:

203 East Santa Fe Avenue is a single-family residential structure listed as Significant to the Don Gaspar Area Historic District. The original structure was built by 1928 in a late Victorian "Hipped Box" style out of red brick. It has a steep hipped asphalt shingle roof and 1-over-1 wood double hung windows. An addition was made on the rear (north) side of the house in around 1986 of a similar red brick with a shed roof, and a further addition was added on to this, extending north, around 2003 with horizontal white colored siding. These additions have covered over the north façade apart from an 11-foot-long section on the northwest corner of the residence.

The applicant requests the construction of an addition on the north façade, extending from the first addition to within one foot of the west corner. The proposed addition would be ten feet from west to east and eleven feet from north to south. It would be made of brick differentiated from the original with a flat roof of TPO in a tan color shielded from view by a low parapet with white painted territorial detailing. The original north-facing window would be re-used on the north façade and an identical window would be installed facing west. The field stone exposed stem-wall foundation would be carried over from the historic structure.

Two exceptions are required for this application – one to place an addition on a primary façade, per Section 14-5.2(D)(2)(c), and one to remove historic material, per Section 14-5.2(D)(1)(a). Exception criteria and responses are found below.

STAFF RECOMMENDATION:

Staff recommended approval of the proposed project and found that the application complies with Section 14-5.2(D) General Design Standards for all Historic Districts, and 14-5.2(E) Downtown and Eastside Design Standards. Staff recommended that the application for exceptions to remove historic material (Section 14-5.2(D)(1)(a)) and to construct and addition on a primary façade (Section 14-5.2(D)(2)(c)) have been met.

QUESTIONS FOR STAFF

Member Biedscheid asked staff's opinion whether there was impacted the significant status of the addition. The Board has had the conversation about additions, particularly to the rear of significant buildings. She thought that the best place to add onto the house and this is well done and thought out. She noted in 1993 the historic building and survey was done, and the house retained or was designated significant at the time. That was done after the first addition, which covered more than half of the rear façade. She would take from that that the significant status was not impacted by the addition. Possibly the new addition should be viewed similarly. It seems different than other properties where at least more than one foot of the façade was still visible. She said she is seeking opinion from staff of their view in terms of status potential.

Mr. Schwab thought the massing of the building is very clear. The hipped box could be seen with or without the addition and with the addition, the massing is still legible. It has been differentiated in a number of ways and he thought it would not impact the status of the structure.

Chair Rios was curious whether the house had a basement.

Mr. Schwab didn't know but the applicant could tell them. He noted that the low windows would indicate a basement.

APPLICANT'S PRESENTATION

Wayne Lloyd 321 W. San Francisco St. and Chet Morando, 1410 Hickox St. were sworn in.

Mr. Lloyd confirmed there is a basement. The same window in the basement of the building now will be moved into the new addition. Both windows are existing windows that will be utilized.

He said the Watsons, who bought the house, intended to expand the bathroom a year ago. They want to age in place and the current bathroom is insufficient in the equipment and would probably not be approved under today's Codes. More importantly, as they hope they are never in a wheelchair, but the proposed bathroom gives the proper distances between the tub, sink, toilet etc. and would allow them to age in place. They do not want to interrupt the pyramid hipped roof and are keeping the addition almost flat; it has a slightly pitched roof.

Mr. Lloyd said we've worked with Ms. Roach and Mr. Schwab numerous times to make this the best possible fit and it has a "do-pass" recommendation.

He stood for questions.

Chair Rios asked if the basement is finished.

Mr. Lloyd said parts are and parts are not. It is partially livable.

Chair Rios asked what is in the livable space.

Mr. Lloyd indicated the owners have an office they work from.

QUESTIONS FOR APPLICANT

Member Guida said he didn't fully understand the proposed brick column and wall added in the back by the porch and the replacement of a wood guardrail.

Mr. Lloyd explained the guardrail is actually fiberglass that will be replaced with wood.

Member Guida pointed out the drawing on the proposed west elevation shows it would be replaced with a low brick wall and a freestanding brick column.

Mr. Lloyd explained it has a pergola over the top that evolved from conversation with staff as a nice way to integrate the historic portion with the newer addition with the white plat siding.

Mr. Guida asked if the pergola was shown in the drawings or the plans or elevations.

Mr. Lloyd said yes, in the plans, perhaps not clear enough, but not in the elevations.

Mr. Guida indicated he did not see that.

Mr. Lloyd, after looking through the plans, agreed it wasn't there in the plans. And it wasn't presented clearly in the elevations and is shown with two horizontal lines on the north elevation.

Member Guida noted the horizontal members of the pergola would be below the height of the column.

Mr. Lloyd agreed.

PUBLIC HEARING

Ms. Beninato previously sworn, said she has been inside the house and loves the house when in its original form. It was built by Italians and is solid, and the basement is

beautiful. She couldn't understand saying something is significant and then allow additions to the façades, because all façades are primary. The first addition was small enough it didn't obscure the back completely. The Board has previously allowed the white addition which really doesn't go at all, and now another addition of 120 square feet for a bathroom. That is a really large bathroom. As she has said before, aging in place is not a hardship- everybody is aging in place. If that criteria is used for hardship, basically you will be giving out exceptions like lollipops. She has been in the house and that bathroom is awkward, but she doesn't recall it being extreme. She wondered if there was a way to make the existing bathroom more usable than adding 121 square feet. The house loses its significant status. The development is so pro-development there is never a reason to say no to this type of addition that significantly changes what this house looks like. People use pergolas all the time and they are not common. She said why do you need pergola in addition to the 120 square feet, it is a fake character of the house.

Stephen Flance, 521 Weber St., was sworn. He said having aged in place in his office next door to this building, he thought it appropriate that his neighbors are making the addition. He looks right at the property and abuts the property on Pino Place and he and his wife have seen the plans. He thought what has been proposed is consistent with staff recommendation and findings and they support it 100%.

BOARD DISCUSSION

Vice Chair Katz said the addition is not appropriate and would completely eliminate the significant status. Webber Street has additions that he doesn't know how they were approved. You don't see the additions; you see the original house. This project is right on Webber Street although back and he could see what it was like before all of the unfortunate additions. He strongly urged the Board to deny the application and doesn't believe the exception criteria were met. There is already a bathroom off the bedroom. It may not be as large, and the owners may need a wheelchair in 20 years. He is faced with the same issues of aging. He thought this is coup de grace for the significant status and urged the Board to deny the application.

Member Roybal disagreed with Member Katz. He said this is a small and nice addition. As he understands the exception was met according to staff and he agrees. It is important that people have the right to improve their homes and living conditions. Additions have been added to, but this is not a significant part of the house. He is in favor of the proposal request to add the extra bathroom and pergola.

Member Guida said he too believed this is fine. He has a lot of access to the aging in place justification, but also thought this historic. That does not mean it should be untouched and every detail no matter how insignificant should be preserved. It has

already been added on to in a manner that a building would have been added onto in its period of significance.

He noted in the plan they could see an addition of some kind on the back of the house. The original long rectangular addition with the white clapboard siding is the most sensitive to the original building. It pulls back from the corner a foot or two and has a flat roof that contrasts with the hipped roof. Yet it still has a few details in the cornice and windows that make it harmonious with the original building. It is almost as if it is reversible and anyone would know it was an addition and the original part of the house is the part with the hipped roof.

Member Guida thought the smaller issue is, the addition in this location is fine, but the proposal for brick clad - he is all for salvaging the windows and materials. But he would be hesitant to say he is in favor of cladding the addition in brick and the foundation in stone to make it appear as part of the original house. He prefers adding on in the manner of the white clapboard addition and have that line be very clear.

Member Larson agreed with Member Guida that this is a compatible addition and not unreasonable. She would suggest instead of a brick wall possibly a railing because it would be less intense on the massing increase. She also thought it possible the applicant should consider preserving the slight slope of the roof on the west elevation. It might be more compatible with siding with the horizontal line and profile. The Masonite platting on the foundation is a good option. In the drawings it appeared to be a different design than the original stone foundation. It still provides differentiation without being just plain concrete. She said the applicant is almost there and has done their best to make this home work for them while being sensitive to the historic structure.

Chair Rios asked to confirm that Member Larson said she was opposed to the brick and believed it should be siding.

Member Larson said she did say that. Even if they were looking at a different kind of brick, it would be more compatible to completely differentiate and match the existing addition with horizontal siding.

Member Biedscheid agreed this is a very compatible addition and is done sensitively. She understands staff's logic for saying the addition would not affect the status. You can still distinguish the original structure from the new.

She said her opinion hinged on the impact to status. Considering that, if they look at the house for status with the additions they would come to a contributing status designation. One whole façade is covered by additions. Code says in 14.5.2(D)(1)(a), if a proposed alteration will cause the structure to lose its significant status, the application

should be denied. On that basis if they were to re-status this as contributing this would be fine, but she didn't know how to reconcile the impact to the status of this proposal.

Ms. Roach asked to clarify that Member Biedscheid was saying that 120 square-foot addition would cause a significant structure to lose its status.

Member Biedscheid replied the result of the addition would obscure the entire façade. There would be one foot of the façade left.

Vice Chair Katz said that is exactly why he felt so strongly. The addition would completely obscure that façade and it would no longer be significant. It would be reduced to contributing, which he did not think they can, or should, do that. If there was an urgency, some hardship, he would understand. It does not meet the exception criteria.

Vice Chair Katz said he agreed with Member Biedscheid that this definitely puts the significant status in jeopardy.

Chair Rios asked if Member Katz felt the significant status has already been lost with what exists and with all of the additions on the rear of the house.

Vice Chair Katz said it is disturbing, but you can still get a feeling for that façade. But that would not be the case if the applicant can completely finish the job.

Member Guida said he appreciated Member Biedscheid's comments in recognizing that this may be a tipping point. But to come at it another way, is what the Board is considering tonight - covering up an upstairs window and one basement window - would we as a Board be saying that the significant status of the building hinges upon the visibility of those two details.

He said for him that is a funny argument. There could be an allowance, given the history of the development of the property and a design solution that would allow the original structure to be recognized as historic yet separate from the additions. He thought the Board's determination of significance should not hang on details. The determination should be based on the architecture not the design as a whole. For him, if covered up in a manner that is clear, what is new and what is old, that would not destroy the significant status of the building.

Chair Rios asked if correct that Member Guida agreed with Member Larson that the addition should not be brick.

Member Guida said that was correct.

Member Biedscheid said the argument is valid whether this decision hinges on a small corner of the house. She said of course, it doesn't but the proper way to do this is

to re-status as contributing and then approve the addition. She gets hung up on the language of the Code because there is not an opportunity to assess the status after additions. Very likely this house has already lost its significant status.

Chair Rios said she thinks about, when saying the status of the house should be changed, is in the future the owner could come before the Board wanting to change other parts of the house. The history of the house could be lost. This is a difficult decision. In her opinion by keeping it significant you are trying to preserve the other sides of the house when the back of the house has already been compromised.

Vice Chair Katz asked to see the photograph of the rear of the house. He disagreed with Member Guida that it is not just two windows. It is a third to one fourth of the back of the house. The importance of a significant status is that the Board thinks every side counts. If they say just cover it over, means that every side doesn't count, and this house only has three primary façades and should be contributing. But he doesn't think that the Code allows the Board to approve an addition that compromises the status. The request should be denied on that reason. The house definitely loses something from the north, the south and the west by not having a clear view of what was the original house.

Chair Rios asked Mr. Lloyd if he had any other comments.

Mr. Lloyd said the applicant has gone back-and-forth whether to do brick that would be compatible but wouldn't match the existing, or wood siding that is already there. Neither the owner nor he is compelled to make it brick and have considered both options. It would cover up an addition that was done that he wasn't sure why it had been approved. He said they would be happy to go to the wood siding to distinguish and keep intact the initial portion of the house.

He said the Board is split whether this remains significant or not. Staff and he both believe that it does remain significant. He would note for Members who don't believe - this is a well-studied addition, that staff believes meets exceptions and supports. The applicant has worked closely with staff on this. It is a good, legitimate addition.

Chair Rios referenced the photograph and asked that staff outline what would no longer be visible.

Mr. Lloyd responded that both the windows could be seen but moved out 11 feet to the new wall. He noted on a photograph, the other side with two windows they would not see.

Chair Rios confirmed the one over one window closest to the downspout would be eliminated and the window adjacent to the two windows would be covered up.

Mr. Lloyd said the windows would be reduced and would become a door into the bathroom.

Mr. Schwab clarified that the windows on the historic façade will be re-used on the addition.

Chair Rios asked to confirm that the window would be reused but you would no longer see what you see in the photograph. Mr. Lloyd confirmed that was correct.

Member Bienvenu said this is difficult for him. He agrees with everything said on both sides of the issue. He believes the addition compromises the main building, but on the other hand that side of the house has already been compromised. It doesn't disturb him having yet another addition, especially a small one on the north side of the house. The rest of the additions in place on that side have already compromised the historic features. As a technical matter, his concern is that this doesn't seem to be allowed for a significant building and that this would not automatically result in a downgrade. He is not opposed to the addition but there should be some accommodation made to comply with Code.

MOTION: In Case #2020-002357-HDRB, 203 East Santa Fe Avenue, Member Larson moved to approve the application as submitted with the condition that the platting be horizontal wood siding rather than brick, and that the exception criteria have been met to place the addition on a primary façade and to remove historic material. The motion was seconded by Member Roybal.

Member Guida made a friendly amendment to change the brick partial-high wall and brick column to a wood balustrade similar to what is there.

Member Larson accepted the friendly amendment.

VOTE: The motion passed by majority (4-3) roll call vote with Members Guida, Larson and Roybal voted in favor and Members Biedscheid, Bienvenu and Katz voted against. Chair Rios voted in favor (with comment) breaking the tie.

Chair Rios explained her vote in favor. She said although her preservation self thinks this may not be correct, the addition is not that big, and Members have brought up that this is a significant house. They may have to revisit it to downgrade status or have an intense discussion whether it should remain significant or be downgraded. The additions have been made and the applicants did meet the exception criteria, so she votes in favor.

Ms. Roach requested that the applicant submit revised drawings to staff for approval prior to submitting for a permit.

6. **Case #2020-002194-HDRB. 1160 Camino de Cruz Blanca**. Historic Review District. Sean Milks of Gravity Pad Partners, LLC, agent for St. John's College, owner, proposes to install a 75'-tall AT&T "monopine" telecommunications tower. A telecommunications waiver is requested to exceed the maximum allowable height, per Section 14-6.2(E)(8)(c). (POSTPONED FROM 7/14/2020) (Lisa Gavioli Roach, 955-6657, lxroach@santafenm.gov)

Member Guida recused himself from hearing this case.

Ms. Roach presented the staff report as follows:

STAFF REPORT

1160 Camino de Cruz Blanca comprises the campus of St. John's College. On June 23, 2020, the applicant came before the HDRB to propose construction of a 75-foot-tall "monopine" telecommunications tower on the campus. The purpose of the tower is to provide improved communications capability for emergency services and first responders, as well as enhanced personal wireless service in the surrounding area. After discussing the merits of the project, the Board requested additional information regarding alternative locations that were considered and to better demonstrate that the proposal represents the least obtrusive option to close the gap in cell coverage for the area. On July 14, 2020, the applicant provided extensive additional information (see Exhibits A through G), but the Board felt that there was too much uncertainty regarding the proposed location as a result of the need for further discussion with the neighbors, that they postponed the case for up to 30 days to allow for additional time.

Now, the applicant returns to the Board to propose alternative siting and design options for the cell tower, after having made efforts to reach agreement with a group of neighbors. An agreement has not been reached; however, the following three options are presented for the Board's consideration:

1) Option 1: A "Bell Tower" design located further south from Camino de Cruz Blanca. The proposed tower is 80 feet in height and features the St. John's College name and logo. (see Option 1 design schematic in the packet).

2) Option 2: A Territorial Revival Style "watch tower" structure located slightly further south than Option 1. The design of this tower would be similar to the existing watch

tower on St. John's College campus, and the height is unspecified but will attempt to match the height of surrounding trees and buildings.

3) Option 3: An 80-foot-tall "monopine" located further south and east of the originally proposed location, in an undeveloped area that the application feels would minimize its visual impact.

Under SFCC Section 14-6.2(E) Telecommunications Facilities, the Historic Districts Review Board must review the telecommunications application for compliance with the design requirements of Section 14-5.2 (Historic Districts) and relevant subsections of 14-6.2(E) and to ensure that the applicant has "demonstrated that no other less intrusive means or alternative to the proposed telecommunications facilities siting is practicable." The applicant provides lengthy discussion in the packet regarding the decision-making process around siting of the facility, which has been summarized above. In terms of the design standards of 14-5.2, staff has determined that the application is subject to the height limits and scale requirements, as specified in 14-5.2(D)(9), and that the design of the structure must adhere as closely as practicable to the design standards for the Historic Review District. The maximum allowable height for the site is 16 feet. Because the proposed tower height of up to 80 feet exceeds the maximum allowable height for the site, a waiver is requested as specified in Section 14-6.2(8)(c), and criteria and responses are provided in the packet.

STAFF RECOMMENDATION

Staff defered to the Board as to whether all the criteria for a waiver of the maximum allowable height have been met, per Section 14-6.2(E)(8)(c), but otherwise recommended approval of the application in compliance with 14-5.2(D) General Design Standards for all H Districts, and 14-5.2(I) Historic Review District.

Ms. Roach invited Dan Esquibel, Sr. Planner with the Planning Division to join her.

QUESTIONS FOR STAFF

Chair Rios asked Ms. Roach in her opinion which of the three options presented was the least intrusive.

Ms. Roach said she has no opinion. It is a difficult decision because there is not a great deal of information to show that all other options have been exhausted, nor what the height of the territorial watchtower would be. The bell tower is exceedingly high. She is not sure that is appropriate, but the Board may feel otherwise. Moving the monopine further is better than the immediate. The difficulty in the decision was evidenced by the inability to come to an agreement with the surrounding neighbors. The cases are

extraordinarily difficult to apply historic district standards to a telecommunication facility, in addition to the legal parameters around telecommunications.

Chair Rios said she would say the biggest obstacle in judging the project is obviously the height, which is extremely high. The proposal is the tree. She didn't think any of the options are less visible because they are all so tall. She asked if correct that 75 feet could be seen from any public way.

Ms. Roach said correct, all of the options would be visible from a public way.

Chair Rios asked for reference, the height of the tallest building at St. John's.

Ms. Roach didn't know.

Chair Rios said what the Board is judging tonight is extremely tall.

Ms. Roach said in terms of the other buildings on St. John's, they are quite a distance from the road. Anything in this general location is most advantageous. The tower is going to appear much larger than the campus because of the distance from the road.

Chair Rios asked if she knew the average height of the trees in the area of the options.

Ms. Roach didn't know. Generally, Pinon Juniper forests are quite a bit lower than 80 feet.

Chair Rios asked if there was anywhere else the proposal could be placed without being a visual burden or was that not possible because of the height.

Ms. Roach said she didn't know. The campus is very large, and she was not familiar with the other options explored. A map was provided of the proposed sites discussed as part of the planning, but she wasn't familiar with the locations to say.

Chair Rios said in reference to the watch tower, option number two, the report says, *"height is unspecified but will attempt to match height of surrounding trees and buildings"*. She asked if that meant it would be lower than 75 feet.

Ms. Roach said they need more clarification from the applicant. She received that from the applicant, but the map indicates it would be an 80-foot watchtower.

Member Roybal said his biggest concern is that the neighborhood hasn't been able to come to an agreement and that makes it hard for him to choose any of the options. The neighborhood associations are strong in the area and should be a big part of whether this is approved.

Vice Chair Katz said looking at the graphic, there are taller trees on campus that would do a better job of hiding most of what would be there. He was concerned that the Board never received a search ring they were to get, so they don't know the options. Another concern is that the really important player, St. John's, wasn't present. As the ones that would benefit most, the College may need to be more flexible and allow the structure to be further off the road. He said he found it unacceptable that they are happy to put this directly in front of the neighbors across the street.

He said he is also curious, and has questions he will ask the applicant, but why not the water tower, and which water tower, there are two. Why do those neighbors get to say, we don't want it there, and Los Miradores is ignored where many more people will be affected. The water tower is quite a bit higher and it could probably be put right on the edge.

Vice Chair Katz said he is puzzled by it and knows the Board's only decision here is whether the other alternatives were considered. He isn't sure what that means, "Yeah we thought about it and we didn't like it". Shouldn't they have a good reason to reject these. He wasn't sure the Board is getting answers that are satisfactory.

Member Bienvenu said one problem, reviewing the application for the third time, is the lack of technical competence to review the information about the gap and what is necessary to close the gap. He didn't think the Board had been given enough information and even if they have, it is difficult for them to evaluate it.

He asked Mr. Esquibel to explain from the City's perspective because he was involved in reviewing the technical data provided by the applicant, what the applicant contends the gap is they are trying to fill and what the minimum signal strength needed to fill the gap is and what the minimal intrusive option is to reach that signal strength.

Mr. Esquibel said most of the information provided is applicable to 14-5.2. Application has not been made to the Planning Commission, which will address the majority of information the Board is requesting.

The signal strength in and of itself is an interesting prospect. He said within every phone there are DB levels in millimeters and an ASUS (Arbitrary Signal Unit Strength). The lower the DB level the better the signal strength; the higher the ASUS value the better the signal quality. Much of that depends on what the tower puts out and the distance that tower will go, and how close the person is within range of that tower. What the applicant is trying to determine in minimal signal strength in an area is probably something that has to be answered by an RF engineer in how to minimize an area of coverage.

Mr. Esquibel said he doesn't know how that would be regulated. They might associate that with the amount of power going out of the antennas, but he didn't know.

He knows that the bars on your phone is relative to the DB levels and if an android it is in the section and is based on the distance you are from the tower, or other towers. The further away from the tower the lower the bars you get and the higher DB level on your phone and the faster the battery drains. A person's phone battery when further from a tower, puts out an enormous amount of electromagnetic frequency to reach the tower and maintain the signal. If you are so far away from the tower and getting closer to another tower, there is a handoff to another tower so a phone call can be maintained without dropping the call.

He said the search ring itself is just an area the applicant wants to cover. Within that ring are valid areas the applicant feels will allow them to maintain the quality of signal strength between the tower and the people they serve and other towers they are trying to connect to in order to maintain a network. Towers in urban areas see each other and their strength is regulated to avoid them crashing into other signals.

Mr. Esquibel said there are only so many frequencies and they are used repeatedly. One cell tower will get channels 1 through 3 and another channel 4-6, etc. And a mile away the towers reuse channels 1,2,3, etc. but regulate the power because they are dealing with the same signal strength. Those signals are rotated in order to cover a city and as more people live in an urban area, the towers are broken down to be able to handle the capacity.

He said rural areas where they don't have the ability to connect to fiber or strong Internet service transfer the data by microwaves. In Santa Fe they would have to determine which tower has microwave antennas or see if they could add microwave antennas to existing towers. He wasn't sure if there would be enough room inside the chimney contemplated at St. John's College that had a microwave. Or how much interference of the fiberglass material would restrain the microwave getting to the antenna. Both are receivers and transmitters and transmit and receive data back-and-forth for seamless coverage. He said it is hard to tell how you would regulate coverage and know what the minimal DB levels would be for an area.

Member Bienvenu asked if technical expertise from the City would be available when this goes before the Planning Commission to help review the data provided by the applicant.

Mr. Esquibel said they typically rely on engineers. He didn't know of any RF engineers the City has contracted with.

APPLICANT'S PRESENTATION

Sean Milks, 2205 Tierra de Corrales, Corrales, New Mexico and his business partner Kevin Winner, 1116 Bona Terra Place NW, Albuquerque, were sworn.

QUESTIONS FOR THE APPLICANT

Chair Rios asked them to tell the Board about the different options proposed and what they feel is the least intrusive. They have indicated the watch tower would be compatible with the surrounding trees. She said she would guess all of the towers are extremely tall and the same height of 75 feet.

Mr. Milks said that is correct, there are three different locations and three different options. They feel the least obtrusive site is option #3, the 80-foot monopine, after meeting with the neighbors. He noted if the monopines were the same height, the RF signal would be blocked. The sites have to be above any trees that could block them, and they cannot make it invisible, but are flexible and want to hear the Board's thoughts.

Chair Rios asked Mr. Milks to describe the bell tower and watchtower in terms of height and width and give some detail about their proposal.

Mr. Winner said they have built the bell tower before in Albuquerque. It is a three-legged tower with hollow legs and the cables run inside the legs, unseen. St. John's College signage is fiberglass made of radiofrequency translucent materials on the outside. They could have the name of the College and logo on the sign outside and the antennae behind and shielded from view. The majority of the public wouldn't know this is a cell tower, just a bell tower with college signage and logo. They built this feature in the past. They decided near the parking lot of St. John's in the background with the tower in the foreground would be an appropriate bell tower design. The legs are 80 feet tall of hollow steel, non-tapered. The structure is self-supported with three legs and cross bracing at the top that houses the antennae and radios.

Chair Rios confirmed this is the highest at 80 feet.

Mr. Winner said correct, 80 feet high and 75 feet to the middle of the antennae. All of the equipment is shielded behind the sign. They were approved in Albuquerque in visually sensitive areas such as this.

Chair Rios asked about the watch tower.

Mr. Winner said the watchtower is a unique proposal they have been working on and would engage a local Santa Fe architect if the option is chosen. They have established there is no location that can hide or shield the height at 75-80 feet. The idea is to blend it into the community features. They developed the St. John's watchtower with the architect while looking at what is already there and that was the inspiration for the tower. It would be a 4-legged tower with a watchtower view at the top with antennae and radios located in plain view. They used the same design of the building's architecture and from the parking lot you would be able to see both towers. The one in the foreground

would be much taller than the one in the background but look like it belongs there. It wouldn't be hidden, but in their opinion you see more of a beautiful artsy tower than a steel monopole.

Chair Rios asked if the materials for the watchtower would be similar as those that already exist at St. John's.

Mr. Winner said the tower itself is at the top of the building. They would keep it open and it would be steel and fiberglass construction as shown on the rendering. The base would be open with structural steel midpoint. At the top would be the platform where AT&T's equipment would be installed. It is unique to the area and although noticeable, it would appear to belong there.

Chair Rios pointed out they could not reach a consensus in their meeting with the neighbors. She wondered what happened.

Mr. Winner said they had a good discussion, but he thought much of this comes down to not just the design, but the difficulty of getting consensus on anything. There are so many different opinions, but they are open to all ideas. They just need guidance and feedback. They don't want to get into the discussion of why they need it; they have provided a lot of documentation to support that. They demonstrated that the landowner has a large impact on location, and these four locations have all been acceptable to the College.

Mr. Winner said they have worked at great lengths with the neighbors and anyone who asked. They couldn't reach a consensus because he didn't know there will be a consensus. He said we are trying to get feedback and happy to address something not addressed, but at some point we need an option to take into a planning process. That process has been delayed up to 90 days trying to come up with the best option.

Chair Rios asked in any of the three options, if it was possible to reduce the size and still get a good coverage; maybe not optimum coverage. She has been in the area and knows it is lacking in coverage and others have communicated that. She asked if the applicant tried to lower the height in the options, to see if they would be compatible with the air gap.

Mr. Winner said they have looked at that in length. The elevation above the ground is 75 feet and where they would see 80-foot monopines. When they are lower to the ground elevation the proposed monopine near the road was the same elevation as option #3 because from a ground-level perspective the height above ground is equivalent. That is why we are neutral on those locations. Closer to the College, there are taller trees down near the ravine as one Commissioner mentioned. That makes sense but you also lose 30-40 feet in elevation and for every foot in elevation lower they have to raise the

height of the structure almost on a one-to-one ratio. Moving it to the parking lot lowers it five feet but still makes a clearance for line of sight to the St. John's Methodist Church. Option 2, the watchtower, is 10 feet lower elevation than the road with the same height of 80 feet. Anything lower than 75 feet and they lose signals.

Chair Rios asked if correct he was saying the tower has to be at this height. There is no other option but to have it at this significant, very high tower.

Mr. Winner replied he wouldn't say no other option. They could build four towers in community that are lower towers. He thought the goal is to have the least visually intrusive. Instead of having four lower towers, they would pick one location to minimize the total impact. That height has to be at least 75 feet for the AT&T First Net service proposed as the first carrier on the tower.

Chair Rios asked what height the lower towers would be.

Mr. Winner said the technology exist to put them on a light pole or buildings, but all of the options are for residential. They have not seen antennae on rooftops of houses and typically is where the antenna come into play. To have one structure for the entire coverage objective this preferred location is at the 75 feet allowable height.

Vice Chair Katz said this is so hard because there seems to be so many variables. They have heard from the neighbors and many on the Board have reacted to the very tall looking monopine. It is actually nicely done if it were among trees the same size. There are none except close to the parking by the school where locations were proposed. There are four locations on the graph, the original and the other three, but there are no trees of that size in any of those areas.

He asked what was wrong with the water tank, it is a higher elevation.

Mr. Winner explained it is too high. It is why they don't put sites on top of Sandia Mountains or very high locations. It will shoot over the signal into the other part of Santa Fe and have cross talk. Years ago, the thought was the higher the better, but with 4 and 5G everything is more condensed. The RF department shot the water tank down immediately because there is no way to control the RF signal. That would have made their life a lot easier because they could've painted the antennae to match and have all the carriers. Unfortunately, it is too tall.

Vice Chair Katz asked the elevation of the water tank.

Mr. Milks stated it is on an alternative map, but in addition to an issue with elevation the location is on the side of the hill. There are two segments that are blocked by the side of the hill and the only usable would be 0° to the north.

Chair Katz asked if it wouldn't be blocked in the other proposed locations.

Mr. Winner explained it would not be blocked here because at 120° it goes up into the neighborhoods, and at 240° it covers the campus and the other neighborhoods to the southwest. There are so many variables as the Commissioner mentioned and they have tried to eliminate some that cannot be done. He said we are not here to talk about water tanks or every possible alternative, but to narrow this down to these four locations. They have worked with the landowner, identified alternatives not as close to the road, not as visible to the neighbors or the road. They wanted to focus on the four alternatives because the landowner wont lease space on some of the other sites. The neighbors might prefer a location that is not an option. Here are four realistic options we can engineer, design, build and lease and is why they are trying to focus on what is doable. When they met with the neighbors they were educating them why they couldn't go by the dorms, etc. He said we feel we have already addressed and eliminated the nonstarters to focus on what is feasible. These four sites are feasible.

Vice Chair Katz asked why the towers couldn't go by the dorms.

Mr. Winner replied it is a secure campus and dorm rooms do not want service technicians coming in to do work at night.

Mr. Milks added the College will not lease space near the dorms or having a man at 3 in the morning climbing the tower when there's an outage.

Vice Chair Katz said he understands if the College says no. He asked why they couldn't have four or five lower towers scattered through the neighborhood.

Mr. Winner said if trying to do the least obtrusive that wouldn't solve the problem.

Vice Chair Katz said you may not think so but if the same height as a telephone pole...

Mr. Winner said it has to be close to the elevation that AT&T and First Net require. They have said to meet the coverage objective of the College, the neighborhood, and the communication with other sites, the radius center/elevation has to be at 75 feet.

Vice Chair Katz said that might be from the ground there, but what about other places. He asked why it was a problem to have antennae on the water tank for one sector and another tower by the athletic field that wouldn't have to be taller than a light pole. They could get the southwest center that they want.

Mr. Winner said Member Katz is talking about a retail project that is not feasible. They would need about 20 different smaller sites and AT&T wouldn't do that. They need to have one site locally with all of the ETS cabinet in one location that blasts the signal.

Vice Chair Katz asked if small towers are done any place.

Mr. Winner replied there are some in San Francisco, and the NFL and baseball stadiums where capacity is overwhelming with the number of users. He was not familiar with any in New Mexico.

Vice Chair Katz thanked him and said he appreciated the information.

Member Bienvenu wanted to follow up on the four smaller towers. Mr. Winner had started to say that even with 4 towers they would have to be a certain height that is not much less than the proposed 80-foot high monopine. He asked what height that is.

Mr. Winner said currently they are only concerned with AT&T. Their RF propagation studies, which the Board has a copy of, 75 feet is needed to meet the coverage objective and capacity. Building four towers does not get the vertical separation needed from Verizon, AT&T, T-Mobile/Sprint. Antennae work traditionally on a vertical separation-AT&T is at 75 feet, Verizon is 65 and T-Mobile/Sprint is 55. Each carrier has different frequencies and technology and their sites are in different locations. The ASUS are all different and all of the carriers can have their ASUS on a tree, but you wouldn't see that because the antennae are covered by branches. If they were to have four 65-foot trees, the signals are going to run into each other. They would have what is called an antenna farm and there are laws against that. The least obtrusive is one site that all of the carriers can utilize.

Member Bienvenu asked if correct when talking about four smaller height structures, that could not include 4 light poles for example in a parking lot, or even 10 or 15 light poles. The light poles are all there would just be a matter of putting antenna on them.

Mr. Winner explained each light pole can only have one antenna and there would be 9-12 antennas from AT&T, the same for Verizon and T-Mobile, etc.

Member Bienvenu asked on the 75-foot requirement, if that meant it has to be 75 feet high no matter what the location or is it from a specific elevation line.

Mr. Winner said the propagation studies from the AT&T RF system were done for the original location. As you get into lower elevations, option two, which is about 10 feet lower, the height has to be made up with the tower. In the original location was the shortest tower and it would cover 99% of the College, the neighborhoods to the north, the high school and the line of sight with St. John's Church.

Member Bienvenu said the conclusion he just gave is the answer to the question he has been asking the last couple of meetings; what is the lowest possible height that

gives you the coverage that fills the coverage gap they are trying to fill. Mr. Winner just said that this is the lowest possible height, so it must mean he did an analysis to show that a lesser height would not fill the gap. He asked if that could be shared with the Board.

Mr. Winner said he doesn't have it, but he could ask the engineer.

Mr. Bienvenu said for him that is the most important question facing the Board. We are to determine the least intrusive alternative, which in this case means if it could be 60 feet high instead of 80 feet high.

He said Mr. Winner has said no, but it was just a conclusion with no data to back it up. The Board needs something they can say yes, taking it down 20 feet would no longer meet the coverage objective.

Mr. Winner said he has been told if the height is lower, AT&T will not build it because it would not meet their coverage objective. They will not spend $300-$400,000 on a site that does not meet their coverage. AT&T understands that this is a very unique site and has to be as short as possible. The engineers have said with their technology this is the shortest tower we can put out.

Mr. Milks said they are sensitive to the heights and why on the monopine the antennae can't be at the top because they could be seen. With the tree design the antennae are actually 5 feet lower than the top of the 80-foot tree. There is 5 feet of branches on the top. They looked at lowering that by another 5 feet by going to a bell tower. The bell tower allows them to push the antennae up to the top of the structure and they give up the five feet of branches. They have made concessions to try to come up with design, and engineering alternatives to lower the overall structure and height and achieve the objective.

Member Bienvenu said the height they are trying to meet was given to them by their customer, AT&T because that is their business judgment decision. That is a different decision than what the Board faces, if this is the least obtrusive alternative to meet the significant gap in services.

Mr. Winner said you are 100% correct.

PUBLIC HEARING

Chair Rios opened the public hearing noting that speakers were limited to two minutes.

Ms. Paez noted the Board received timely written comments some of which are in the packet. Attached to these minutes are comments from Robert Snow – Exhibit "2" and Stephen Durkovich – Exhibit "3", which include comments from Hannah McCaughey and

Steve Flance. In addition, she said that Philip Stern, James Pope and Merrill Bowman also submitted written comments. Attached is the Chat Window from the Virtual Meeting, attached as Exhibit "4".

Chair Rios said she would guess all of the comments were all in opposition. She thought some who sent written comments will be speaking this evening.

Joe Ferguson, 2232 Wilderness Arroyo, was sworn. Mr. Ferguson said he represents himself but is familiar with the surveys and thoughts of Wilderness Gate Homeowners Association and those on Camino Cruz Blanca. He loves the idea of the tower as an individual and citizen of Santa Fe. We have nothing up here, no sewer water, cable, there is some Internet, but they really need cell coverage. As a citizen, we need to be a 5G community. Emergency vehicles etc. require 5G capability and Santa Fe has to have that. After the Board discusses whether or not they can use lower sites instead of a big one, they will conclude they have to have the big tower. There will be smaller sites throughout downtown because the range of 5G and the technical limitations require that. He doesn't care which of the three designs they select. He only cares about the capability, but he knows the community here will care about the aesthetic decision before the Board. Every citizen in the community will see the video of this session within the next couple of days. He is recording it and will coordinate the feedback from the individuals and homeowners' associations for the Board. He thought the community could make a decision among the three designs and locations proposed, if that is what it comes down to.

Mr. Flance, previously sworn, said he would defer to Steve Durkovich who has drafted an extensive letter including analysis of the City Code but just as importantly, the criteria he excerpted from the FCC requirements for this kind of development. He wanted to speak but deferred to have Mr. Durkovich speak first.

Stephen Durkovich, 1607 Camino Cruz Blanca, was sworn in. He said he submitted a letter and he would appreciate that they read. The neighborhood has no opposition to wireless transmissions in the neighborhood. The only opposition they have is to the antennae that has been chosen to broadcast wireless transmission. The City has set forth a means for determining whether or not these antennas can be in a particular neighborhood. The problem is that the applicants have disregarded the procedure. In essence the procedure says, 1) The City says wireless transmission facilities are permitted in the City and that is compelled by the Federal Power Commission and the City accepts that. The City has a preferred type of antennae which is co-located, and the ordinance encourages the use of and to require that be used. The City asked that applicants seeking to use other antennae must prove that co-located antennae are not possible within the area. A system is designated to do that by a search ring to show areas

that you have looked in and guarantees they can show the Historic Board that area. Once you have drawn the search ring, you have to technically explain why the co-locator was not used. The essence of the ordinance is that any aerials should at the City's preference, be on the existing buildings at St. John's. The applicants have made no effort to prove that it is not technically practical to do it. They do not draw any search ring that includes the buildings, give the heights of the building nor the exact locations of the buildings with respect to anything else. They ignore the buildings and only say that they went over them, and none were practical. The applicant has to prove that it wasn't technically practical to locate an aerial on any one of those buildings. And to do it you have to identify the building and its height. In our presentation we included pictures of two co-located aerials, the first on St. John's Methodist Church, (Exhibit D of the letter) and the second one is on Hotel Santa Fe. These aerials were constructed and owned by AT&T. That shows these aerials can be constructed and in use on the periphery of the area being discussed and that this can be done in absolute taste with the surrounding architecture. Looking at the pictures of the St. John's Methodist and Hotel Santa Fe aerial, you cannot distinguish from the surrounding architecture. The point being it is possible to build co-located aerials on the Santa Fe campus. It can be done and it has been done. It is general knowledge in the neighborhood that Mike Peters, the previous president of St. John's 10 years ago, entered into an agreement with a carrier for the building of an aerial in the bell tower. For financial reasons, the allocation of costs between the two parties, it failed. That possibility exists and regardless the applicants have to prove that it doesn't exist and haven't done that. They haven't looked at anything and have instead insisted on three 75-foot towers. Once those towers are put up to the maximum height possible, the various carriers' antennae will be staged, one at 65 - 55 feet, 55-45 and then 45-35 feet. That answers the question if there are other aerial heights that might be available and might be able to transmit the communications. The answer is yes. He would finally like to point out that as we were asking in the walk around with Kevin Winner why the insistence for the 75-foot aerials. That is why they focused on that. They never addressed proving why they couldn't do this with the co-located or smaller aerials. Mr. Winner said once we get a 75-foot aerial here, we will be able to get them into other residential areas in the City. So that is the value of putting one of these in as precedent.

Mr. Eddy, previously sworn, said this is a public process and he believed the letters received by staff should be read into the record rather than staff just acknowledging them as received. There are a lot of people listening to this procedure and these opinions need to be heard. The elephant in the room is that the College is not being a good neighbor. They are foisting the aesthetic impact of the towers on the rest of the neighborhood. The issue of colocation of towers should be proven. He strongly felt this precedent for an 80-foot tower in this neighborhood, if accepted, would open the door to more 80-foot towers in different neighborhoods.

Mr. Flance, previously sworn, said he agrees with everything that Steve Durkovich said and has written in his letter and the testimony from a number of Board members. He thought Members Katz and Bienvenu were on to some very serious issues with the application. The proposal does not meet the Codes of the City of Santa Fe nor does it address the end notes Mr. Durkovich included in the letter that identifies elements of the Code and FCC criteria for evaluating municipal action that support the position of the neighborhood. He is personally opposed to this project. He stated we live in Wilderness Gate. He urged the Board to deny the application. Mr. Durkovich's analysis represents key elements of what would be findings of fact. Deny this application and hopefully they will return with something more compatible and for the reasons discussed this is incompatible for these kinds of development and particularly with the HDRB mandate.

Mr. Ferguson, previously sworn, said he recorded this and will send it to everyone in the area they will all be interested in this discussion. He will consolidate all of their input to the Board. He doesn't care, he would like to see 5G capability personally and Santa Fe. In terms of the aesthetics the community is interested and do not see it this way. The vote that was taken was whether they wanted to see a cell tower, not which of the aesthetic designs do we prefer. He will send that answer along.

Madeline Carey, 1674 Camino de Cruz Blanca, was sworn. She purchased her home in July of this year with the understanding that the current cell service and aesthetic representation in the area. She previously raised a concern around the design and tree aesthetic if within keeping within the historic character of the neighborhood. She works for a conservation nonprofit and has significant professional expertise in historic modern and future projected tree and forest regimes and the ecosystem. Most of it does not include pine trees. She offered information that she included in the Chat as a point of reference. The tree that was relocated at the former Ghost Ranch property downtown is a 70-foot-tall Sequoia tree. It is shorter than what is being discussed in all of the proposed designs. Also, she would offer as a recent homeowner and investor in the neighborhood, there is documentation by scientists and realtors on the impact of cell towers on property values. People have mentioned the College and their relationship to the neighborhood. Obviously, this is a strategic financial move by St. John's and raises the issue that something that could potentially fiscally benefit the College could at the same time, harm everyone invested in the neighborhood. She would also raise the issue that there is well documented health hazards and visual impacts of cell towers on property values. There is a well-known court case worth consideration. Allowing a cell tower to be built on St. John's College would allow the College to receive lease income, potentially important to their bottom line, but possibly a negative impact to surrounding properties. That could also include a potential tax impact to the City that should be considered. Allowing a cell tower to be built in a neighborhood with historic character adds to property values and tax

assessments. That could be determined by a future investor to be outside of the character of the neighborhood. A court case that sided with property owners involved the construction of 599 on commercial use impact of the surrounding private property.

Chair Rios asked Ms. Paez if she felt it important to read the letters received by the City into the record or not.

Ms. Paez said she would leave that up to her. She indicated there is one letter that was not included in the packet but was posted online. There was a single email with one sentence that would be easy to read that has a photograph. The letter form Steven Durkovich is a little more than five pages, single spaced with end notes citing a lot of Code provisions and FCC provisions and includes a number of photographic exhibits, A-J. Throughout the letter there is cross references that would be a challenge to read, especially to provide the cited Code language and show referenced pictorial exhibits that are part of the presentation.

Chair Rios said Mr. Durkovich did speak in person. She said his letter will be made part of the record along with the remaining communications received. She did not feel it necessary to read them all at this time.

She asked if Board members had anything further to say.

BOARD DISCUSSION

Chair Rios said in her mind she has no question that cell tower coverage is needed in the area. She personally has driven in the area and coverage in the area of Paseo is lacking. She thought the job of this Board is to judge this project under their guidance, which is the Ordinance; do the various options of this project meet the design standards of 14.5.2 and the pertinent allowable City Code; are the options in harmony with the street scape as to proportion and height? The applicant has asked for a waiver; has the applicant met all of the waiver criteria? Those are the questions the Board should consider in making a decision in reference to the application.

Member Biedscheid said she believes the Board had asked the applicant to come back with all possible designs. She has to trust the applicant has given what they consider to be those possible designs. She has heard both from Board members and neighbors who are possibly more knowledgeable than she is, that there are other options that were not presented that would have less visual impact. The focus should be on the design standards and not the functionality of the cell tower. Also, on the importance to emphasize the location as a residential neighborhood and to weigh the neighbor's opinions. If the monopine is the least obtrusive option as stated by the applicant, she thought that the other options would not work. She liked the attempt to come up with the design that mimicked St. John's architecture, but the scale adjustment to 75 feet changes

the possibility it would fit within St. John's architectural style. She could see none of the options as ones that the Board could support in terms of design standards.

Member Bienvenu commended the applicant for returning with additional designs. He personally was glad to see options to the monopine and it was a good effort to come up with designs more in keeping with the College campus. The problem is still the height. There was no dispute that there is a gap, a lack of coverage, and they don't know exactly what is necessary to alleviate that. They only know the carrier doesn't want to build it unless the tower is at least 75 feet high. However, the Board has not been given any evidence that establishes that is the least height that could alleviate the gap.

He also wanted to state for the record that his motion is not based on any concern for health hazards, which isn't to say there may not be such a concern, it's just that has nothing to do with the basis for this motion for the reasons it is specifically not permitted under the Act.

MOTION: In Case #2020-002194-HDRB, 1160 Camino de Cruz Blanca, Member Bienvenu moved to deny the application on the basis that the applicant has not demonstrated with substantial evidence that no other less intrusive means or alternative is practicable to the three designs presented; specifically has not presented sufficient evidence that existing structures could not be utilized or a lower height could not be utilized to alleviate the gap in coverage; in addition, the applicant has not demonstrated that all of the requirements for an exception in this case are met, specifically has not demonstrated that the proposal would not damage the character of the district, and secondly that it would provide the least negative impact with respect to the purposes as set forth in the historic ordinance.

Ms. Paez asked to clarify for the record when Member Bienvenu says *exception* he actually means waiver in this context.

Member Bienvenu agreed.

The motion was seconded by Vice Chair Katz.

VOTE: The motion passed by unanimous (5-0) roll call vote with Members Biedscheid, Bienvenu, Katz, Larson and Roybal voting in favor and none voting against. Member Guida had recused himself and was not present for the vote.

H. DISCUSSION ITEMS

None

I. MATTERS FROM THE BOARD

Vice Chair Katz asked if there was a report on the rooftop appurtenances of the Garret's Desert Inn.

Ms. Roach said she had an inspector look into it. It appears the units were replaced in exactly the same dimensions as the units that were there previously.

Vice Chair Katz said that was helpful.

J. ADJOURNMENT

Chair Rios adjourned the meeting at approximately 10:12 p.m.

Approved by:

_____
Cecilia Rios, Chair

Submitted by:

Melissa D. Byers

Melissa D. Byers, Stenographer
For Byers Organizational Support Services