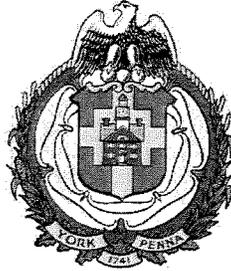


Council of the City of York, Pennsylvania

Carol Hill-Evans, President of Council
Henry Hay Nixon, Vice President of Council
Renee S. Nelson, Member of Council
Michael Helfrich, Member of Council
David Satterlee, Member of Council

Dianna L. Thompson-Mitchell, City Clerk
Email: dthomps@yorkcity.org



Office of York City Council
101 S. George St.
York, Pennsylvania 17401

Telephone: (717) 849-2246
Fax: (717) 812-0557

Website: www.yorkcity.org

AGENDA

April 7, 2015

Public Comment 6:30 p.m.
Legislative Session 7:00 p.m.

I. Public Comment: 6:30 p.m. to 7:00 p.m.

***Disclaimer:** Pursuant to the Sunshine Act, the City of York will only record citizens' names and the subject of testimony provided during the public comment period. Should you request information or desire a response to your testimony, you must provide the City Clerk or Council President with your contact information. Information you provide will be used by City of York agents to process your request. Your name, address and request for information may be entered into the City of York complaint tracking system.*

City Council welcomes public comment on agenda items and on City-related issues not on the agenda. Under Council's adopted Rules and Procedures, comment on agenda items occurs during Council's regular 7:00 p.m. meeting. Comment on non-agenda items begins at 6:30 p.m., with Council sitting as a General Committee. Persons wishing to speak on non-agenda items should sign up with the City Clerk before the 6:30 Public Comment period. Each speaker shall have up to five minutes to speak. To assure access to all participants, the presiding officer may reduce the time limit down to three minutes if the number of speakers who have signed up would extend the total comment period beyond 30 minutes and/or may resume public comment after Council's legislative session has adjourned. Council's Rules, available from the City Clerk, are also on display in Council Chambers and on Council's web page at www.yorkcity.org.

II. Call Legislative Meeting to Order: 7:00 p.m.

III. Roll Call

IV. Pledge of Allegiance

V. Moment of Silence

VI. Action on previous meeting Minutes of **March 17, 2015 (legislative); March 25, 2015 (committee)**.

VII. Presentations, Proclamations, Awards and Announcements: None

VII. Meeting(s) Scheduled:

Committee Work Session: Scheduled for Wednesday, April 29, 2015 at 6:00 p.m. in Council Chambers. Council will discuss items for the May legislative agenda. Committee agenda items are due no later than 12 noon on April 22nd.

IX. Status of Prior Committee Referrals: No reports

- X. Legislative Agenda: (Order of Business – Action on Subdivision/Land Development & HARB Resolutions; Final Passage of Bills/Resolutions; New Business.)

Supplemental Agenda

1. Resolution No. 25 - A Resolution
 Accepting the recommendations of HARB.
 Introduced by: Carol Hill-Evans
 Originator: HARB

Subdivision / Land Development / HARB

2. Resolution No. 26 - A Resolution
 Accepting the recommendations of HARB in DENYING an application. (Royal Square for work to be done at 101 S. Duke St.)
 Introduced by: Carol Hill-Evans
 Originator: HARB

Final Passage of Bills / Resolutions

3. Final Passage of Bill No. 6 (Forthcoming) - A Bill
 Authorizing an intergovernmental cooperation agreement with the County of York. (For inclusion of the City of York in the York County Board of Appeals)
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (PP&Z)

New Business

4. Introduction of Bill No. 8 (Will be on 4/21/15 agenda) - A Bill
 Amending Article 513 “Vehicle Operation and Parking.” (To update language related to parking restrictions during the York Fair.)
 Introduced by: Michael Ray Helfrich
 Originator: Business Administration (Parking)
5. Introduction of Bill No. 9 (Will be on 4/21/15 agenda) - A Bill
 Amending the 2015 CDBG/HOME Budgets. (To reflect changes in revenue/expenses resulting from actual funding.)
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (BHS)
6. Introduction of Bill No. 10 (Will be on 4/21/15 agenda) - A Bill
 Amending the 2015 Budget. (To appropriate additional revenue for the Emergency Preparedness and Safe & Healthy Communities grants.)
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (Health)
7. Introduction of Bill No. 11 (Will be on 4/21/15 agenda) - A Bill
 Amending Article 1763 “Property Maintenance Code.” (To update definitions and require CO detectors in tenant-occupied residential structures.)
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (PP&Z)

- 8. Introduction of Bill No. 12 (Will be on 4/21/15 agenda) - A Bill
 Approving inclusion of the 2014 ordinances into the Codified Ordinance book.
 Introduced by: Carol Hill-Evans
 Originator: Council (City Clerk)
- 9. Resolution No. 27 - A Resolution
 Appointing John A. Klinedinst to Downtown Inc.
 Introduced by: Carol Hill-Evans
 Originator: Mayor
- 10. Resolution No. 23 - A Resolution
 Amending the 2015 Annual Action Plan. (To reflect actual funding received)
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (BHS)
- 11. Resolution No. 24 - A Resolution
 Approving the 2015-2019 Consolidated Plan and 2015 Annual Action Plan.
 Introduced by: Renee S. Nelson
 Originator: Economic & Community Development (BHS)

Special Agenda

- 12. Final Passage of Bill No. 7 (Forthcoming) - A Bill
 Establishing Article 334 “Mobile Food Vehicles.”
 Introduced by: David Satterlee
 Originator: Mobile Vendors Committee
Note: Councilman David Satterlee will offer various amendments to this legislation, which can be viewed online at www.yorkcity.org/council-agendas. Select the 4/7/15 agenda to view.

- XI. Requests for Future Meetings
- XII. Council Comment
- XIII. Administration Comment
- XIV. Adjournment
- XV. Resumption of Public Comment Period (at the discretion of the presiding officer)



This agenda is subject to change before and during the meeting for consideration of such other business Council may desire to act upon including items of business deferred from previous Council meetings.

If you are a person with a disability and plan to attend the public meeting, please call 849-2883 if any accommodations are needed to participate in the proceedings. Persons with hearing impairments may contact the Deaf Center at TDD 848-6765 for assistance.

Council of the City of York, PA
Session 2015
Resolution No. 23



INTRODUCED BY: **Renee S. Nelson**

DATE: **April 7, 2015**

WHEREAS, the Department of Economic & Community Development, Bureau of Housing Services, is requesting an amendment to the Annual Action Plan for fiscal year 2015 for the CDBG; and

WHEREAS, the City desires to amend the 2015 Annual Action Plan to reflect changes resulting in actual allocation of funds for CDBG and HOME; and

WHEREAS, the 10-day period of citizen review and comment occurred in accordance with the City's Citizen Participation Plan;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that the City of York's 2015 Annual Action Plan is hereby amended in accordance with the schedule attached hereto and made a part hereof.

PASSED FINALLY: **April 7, 2015**

BY THE FOLLOWING VOTE:

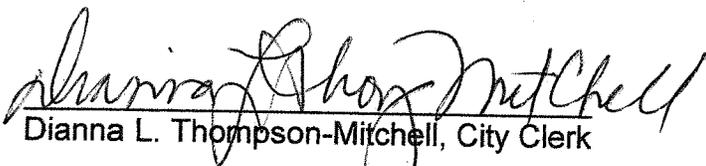
YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk

DO NOT TAKE

DISPLAY COPY UNTIL April 6, 2015

Revised 2015 Annual Action Plan

The 2015 Annual Plan specifies available resources to meet the identified needs. The financial resources the City expects to have available include an entitlement grant of \$1,224,799.00 from the Community Development Block Grant funds and program income and unallocated funds in the amount of 110,000.00. HOME entitlement funds in the amount of \$355,799.00. The program period will be January 1, 2015 through December 31, 2015. The York Housing Authority will have other funds available including Section 8 assistance and HUD funds for public housing modernization.

The City intends to use the FY 2015 HUD funds it receives as described below:

CDBG Projects Eligibility and National Objective Citations	Location	Funding Amount
Interim Assistance/Delivery Building Stabilization by RDA pending Rehab or demolition. 24 CFR 570.201(f) 24CFR 570.208 (b) (2)	City-wide	\$45,000 Program Delivery \$1,500
Acquisition Properties to be acquired by the RDA 24 CFR 570.201(a) 24CFR 570.208 (b) (2)	City -wide	\$20,000
Demolition/Delivery Demolition to be undertaken by the RDA 24 CFR 570.201(d) 24CFR 570.208 (b) (2)	City -wide	\$55,500 Program Delivery \$1,500
Code Enforcement Provide systematic code enforcement in eligible areas of the City. 24 CFR 570.202(c) 24CFR 570.208 (a)(1) (i)	City-wide	\$150,000

Resolution No. 23 of 2015

Public Service Literacy Council - ESL services 24 CFR 570.201(e)	800 East King Street	\$20,772
Economic Development Community First – Microenterprise and Small Business Development Loan Program 24 CFR 570.201 (o) 24 CFR 570.208 (a) (3)	City –wide	\$25,000
Youth Internship Program	City –wide	50,000
Public Service Community Progress Council –York Homebuyers assistance program to Low Income clientele 24 CFR 570.201(e) 24 CFR 570.208 (a) (1)	City-Wide	\$48,354
Public Improvements Mill, pave and reconstruct streets and sidewalks, install curb ramps. 24CFR 570.201 (c) 24 CFR 570.208 (a) (1)	City-Wide	\$350,000.00
Section 108 Loan Repayment Repayment of Section 108 loan	HUD	\$300,000
Public Service York Health Bureau HIV/STD Testing 24 CFR 570.201 (e) 24 CFR 570.208 (a) (2)	City-wide	\$5,000
Administration Program oversight and management including Citizen Participation and applications for other federal programs including, Planning, Mapping; 24 CFR 570.205, 24 CFR 570.206 (a)(b)(f)		\$257,173.00
Human Relations Commission Fair Housing enforcement and administration 24 CFR 570.206	City-wide	\$5,000
Total		\$1,334,799
HOME Projects Eligibility and National Objective Citations	Location	Funding Amount
(Down payment & Closing Cost) for Homeownership	City-wide	\$50,000
CHDO		\$53,370
HOME Admin Funds Bureau of Housing Services for program management 24 CFR 92.207(a)(b)(c)(e)(f)(g)	101 South George St	\$35,580
Crispus Attucks Rental Rehabilitation of two properties 24 CFR 92.205(a) Funding will be allocated from previous year HOME funds	605 South Duke Street	100,000
Art Space		116,849
Total		\$355,799

Council of the City of York, PA
Session 2015
Resolution No. 24

INTRODUCED BY: 
Renee S. Nelson

DATE: **April 7, 2015**

WHEREAS, under Title 1 of the Department of Community Development Act of 1974 and the National Affordable Housing Act of 1990 is authorized to extend financial assistance to communities for activities which will principally benefit low and moderate income individuals and families; aid in the prevention or elimination of slums and blight in the community; and/or meet other community development needs having a particular urgency; and,

WHEREAS, the City of York has prepared a Five Year Consolidated Plan and Annual Action Plan in compliance with 24CFR Part 91 "Consolidated Submission for Community Planning and Development Programs," outlining federal recourses expected to be available to the City and the City will be undertaking during the next program year to address priority community development and housing needs; and,

WHEREAS, the FY 2015-2019 Consolidated Plan and FY 2015 Annual Action Plan was available for citizen review and comments for a period of thirty (30) days, consistent with the Citizen Participation process and considered comments received.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania as follows:

1. The FY 2015-2019 Consolidated Plan and FY 2015 Annual Action Plan as set forth in the schedule of activities and funding amounts, attached hereto and made part thereof are hereby approved and a copy of said plans are filed in the Office of the York City Clerk.
2. That it is cognizant of the conditions that are imposed in the understanding and carrying out of the community development activities with federal assistance under the Community Development Block Grant Program and the HOME Investment Partnership program.

PASSED FINALLY: **April 7, 2015**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk

Council of the City of York, PA
Session 2015
Resolution No. 25

Carol Hill-Evans

Introduced by: **Carol Hill-Evans**

Date: **April 7, 2015**

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

Council hereby approves a Certificate of Appropriateness to be certified to and forwarded by the City Clerk to the York City Building Inspector who is hereby authorized to issue permits for work to be covered in the following application(s) as recommended and approved by the Historical Architectural Review Board:

1. Royal Square Development for work to be done at 105 S. Duke St.

The foregoing work to be done in accordance with plans and specifications approved by the Historical Architectural Review Board.

Passed Finally: **April 7, 2015**

By the following vote:

YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None.

Carol Hill-Evans
Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell
Dianna L. Thompson-Mitchell, City Clerk

**CERTIFICATE of APPROPRIATENESS
RECOMMENDATION to YORK CITY COUNCIL**

APPLICATION FOR PROPERTY ADDRESS: 105 South Duke Street

APPLICANT: Zachary Funt, Project Manager – Royal Square

At the public meeting held on Thursday, March 26, 2015 the Board of Historical Architectural Review considered an application for a permit for work to be performed on the above property located with the Historic District.

Proposed Work: The applicant will be replacing the existing first floor façade with a new, Art Deco inspired, façade including new windows, doors and trim.

Photos/Plans Attached:

Effect of the proposed change upon the general historic and architectural nature of the district [1731.09(a) of the Codified Ordinances of York, Pennsylvania]:

Appropriateness of exterior architectural features which can be seen from a public street or way only [1731.09(b)]:

General design, arrangement, texture, material and color of building or structure and relation of such factors to similar features of other buildings or structures in the district [1731.09(c)]:

Other relevant findings of fact:

WHEREUPON THE BOARD VOTED TO RECOMMEND APPROVAL OF THE APPLICATION:

AS PRESENTED IN THE ATTACHED PRELIMINARY REVIEW SHEET.

AS AMENDED FROM THE PRELIMINARY REVIEW SHEET AS FOLLOWS: _____

The applicant will provide the HARB Chair and the HARB consultant an opportunity to review the proposed materials to be used on the exterior of the building (door treatment, etc...) prior to installation.

DISSENTING VOTES AND RATIONALE: _____

WHEREUPON THE BOARD VOTED TO RECOMMEND DENIAL OF THE APPLICATION BECAUSE:

DISSENTING VOTES AND RATIONALE: _____

Dennis Kunkle

Dennis Kunkle, HARB Vice Chair

This application was reviewed by York City Council on 4-7-15 and has been

APPROVED DENIED

Carol Hill-Evans

Carol Hill-Evans, President of City Council

The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR Part 67) pertain to historic buildings of all materials, construction types, sizes and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent or related new construction. HARB applies these Standards to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



**York Historical Architectural Review Board
Meeting Minutes
March 26, 2015**

Members in attendance included John Fox, Chair; Dennis Kunkle, Vice Chair; Mark Shermeyer; Dave Redshaw, Justine Landis and Teresa Johnescu

Absent: Matt Argabright; W. Craig Zumbrun; Robin Pottorff

Consultant: Mary Alfson Tinsman, Cultural Resource Manager/HARB Consultant, JMT

AGENDA ITEM	DISCUSSION	ACTION/RESULT
Welcome and call to order John Fox, Chair	The meeting was called to order at 6:00 pm. The agenda had been prepared by City Staff.	A quorum was present.
Changes to the Agenda	There were no changes to the agenda.	
Minutes of March 12, 2015	No previous minutes had been provided.	Approval of minutes was tabled until the following meeting
Cases	The following cases are forwarded to York City council with the recommended actions.	

Case #1 – 101 S. Duke Street

Representing the Applicant (Royal Square):

Zack Funt – Royal Square Development, Project Manager

Holly DeKarske – Royal Square Development, Development & Administrative Coordinator

Joe Musso – Owner of Musso Real Estate Development

The applicant proposes to renovate the front façade of the building located at 101 South Duke Street. The applicant presented an alternate proposal at the previous HARB Meeting and the application was tabled pending the applicant returning to the HARB with additional details. The proposed renovations as presented at this meeting include replacement of the first floor multi-pane windows with single pane windows, replacement of the existing doors with modern commercial doors, removal of the existing cornice and replacing it an Art-Deco style stainless steel trim and the application of blue and black glass tile.

Mr. Musso (applicant) introduced the proposed renovations to the Board including historic photographs of the building and the area. He indicated the proposed tenant is looking for something more eclectic that would help differentiate this building from others and that would differentiate the proposed first floor business (a café/donut shop).

Ms. Johnescu stated that she has admired other work by this developer in the area and that she feels they have previously shown respect for the historic fabric of the buildings that they are working on. She questioned why there was such a departure from this trend on this building. She noted that this building was previously the recipient of federal tax credits and that the façade had therefore been previously restored to the Secretary of the Interior Standards. *[At this time a copy of portions of the tax credit application were passed around]*. Ms. Johnescu asked if there was a way to find a middle ground with the proposed project that both preserved the historic integrity of the building while also meeting the needs of the developer. And if not, was there a different building that would better suit.

Mr. Musso restated that they are not trying to force anything on the Board and that they are trying to meet the needs of their client.

Mr. Redshaw stated that he understands the perspective of the applicant and that he had agreed to the previously submitted applicant with some compromises. This new application contains drastic changes from the previous application.

Mr. Fox stated that the proposed design is not "historic restoration" and that he cannot support this application. He reiterated that this situation is different than the building next door (105 S. Duke Street) and that the two buildings cannot be treated the same. The board would be remiss in their responsibilities if they were to support the proposed plans for 101 S. Duke Street. He further stated that he hoped that the individual interested in using the building would understand the character of the building and that Art Deco is not appropriate for this particular building.

There was significant discussion among the HARB board members with the applicant regarding the proposed Art Deco inspired alterations that were proposed. The board felt that the previous application was better suited, with minor adjustments. The board stressed that alterations that are reversible (such as awnings, painting the brick, etc...) are preferable.

Motion: On a motion by Mr. Redshaw, seconded by Ms. Johnescu, the Board voted 6 to 0 to deny the application.

Case #2 – 105 S. Duke Street

As part of the discussions involving 101 S. Duke Street the Board and the applicant also discussed the previously submitted application for 105 S. Duke Street (known as "Allyson's").

Motion: On a motion by Mr. Redshaw, seconded by Ms. Johnescu, the Board voted 6 to 0 to approve the application with one Amendment: that the applicant provide the Board Chair and Board Consultant the opportunity to review the proposed materials prior to construction.

Case #1 - 101 S. Duke Street- revisited

The applicant for 101 S. Duke returned with the proposed restaurateur who is looking to utilize both 101 and 105 S. Duke Street in order to better understand what would be considered appropriate from the Board's perspective for 101 S. Duke Street.

There was extensive conversation between members of the Board and the applicants. The Board worked to explain to the restaurateur what would be considered appropriate at this location and to explain why changes that are acceptable at some locations are not appropriate at others.

Mr. Redshaw explained that the building was a previous Federal Tax credit recipient and that a significant amount of money had been spent to restore the building's façade. Changing the façade now would negate the work that was done previously. Mr. Redshaw indicated that the only modern element on the façade is the door, which was replaced illegally. Mr. Redshaw further explained that this building is different than the adjacent 105 S. Duke Street which was previously altered in a way that changed the historic integrity of the building. 101 S. Duke Street was appropriately restored. Mr. Redshaw stated again that the Board does not have a problem with the proposed renovations to 105 S. Duke Street however 101 S. Duke Street should be treated differently in keeping with the Secretary of the Interior's Standards.

The applicant explained that their concern is to differentiate the first floor from the upper stories – and from the adjacent buildings – to draw in customers. He asked again what would be acceptable – can the doors be changed? The windows? Could the cornice be removed? Can the building be painted?

The Board indicated that the doors could be changed since they are already replacement doors. The multi-pane windows should remain since they are historic. The cornice should be retained as well. Paint would be acceptable as would awnings.

The applicant again stated that they want to work with the Board. Mr. Redshaw stated that the Board is keeping an open mind and that they want to work with the applicant to create something appropriate for the applicant that retains the historic integrity of the building.

Adjourning and next meeting

A motion to adjourn was made by Mr. Redshaw. Ms. Johnescu seconded. All in favor and the meeting was adjourned at 6:55 pm.

The next meeting is scheduled for Thursday April 9, 2015.

Minutes recorded by Mary Alfson Tinsman, Cultural Resource Manager/HARB Consultant, JMT.

Council of the City of York, PA
Session 2015
Resolution No. 26

Carol Hill-Evans

Introduced by:

Carol Hill-Evans

Date: **April 7, 2015**

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

Council hereby **DENIES** a Certificate of Appropriateness as recommended by the Historical Architectural Review Board for work to be completed as submitted in the following application:

1. Royal Square Development for work to be done at 101 S. Duke St.

Passed Finally: **April 7, 2015**

By the following vote:

YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None.

Carol Hill-Evans

Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell

Dianna L. Thompson-Mitchell, City Clerk

Denial

**CERTIFICATE of APPROPRIATENESS
RECOMMENDATION to YORK CITY COUNCIL**

APPLICATION FOR PROPERTY ADDRESS: 101 S. Duke Street

APPLICANT: Zachary Funt, Project Manager – Royal Square

At the public meeting held on Thursday, March 26, 2015 the Board of Historical Architectural Review considered an application for a permit for work to be performed on the above property located with the Historic District.

Proposed Work: The applicant will be presenting a proposal for the reconstruction of the first floor façade at 101 S. Duke Street. The proposal includes the following: replacing the existing sixteen pane windows with single pane windows; replacing the existing 6/6 windows with 1/1 windows. Replacing the existing doors with new storefront glass and aluminum doors; adding stainless steel accent strips and half-round canopies above the doors and windows and adding new blue glass tile with black glass tile trim to the first floor façade.

Photos/Plans Attached:

Effect of the proposed change upon the general historic and architectural nature of the district [1731.09(a) of the Codified Ordinances of York, Pennsylvania]:

Appropriateness of exterior architectural features which can be seen from a public street or way only [1731.09(b)]:

General design, arrangement, texture, material and color of building or structure and relation of such factors to similar features of other buildings or structures in the district [1731.09(c)]:

Other relevant findings of fact:

WHEREUPON THE BOARD VOTED TO RECOMMEND **APPROVAL** OF THE APPLICATION:

___ AS PRESENTED IN THE ATTACHED PRELIMINARY REVIEW SHEET.

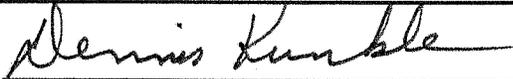
___ AS AMENDED FROM THE PRELIMINARY REVIEW SHEET AS FOLLOWS: _____

DISSENTING VOTES AND RATIONALE: _____

WHEREUPON THE BOARD VOTED TO RECOMMEND DENIAL OF THE APPLICATION BECAUSE:

The application was denied as submitted. The proposed alterations were not in keeping with the Secretary of the Interior's Standards for Rehabilitation. The Board and the applicant did discuss other options for the building and the applicant will be resubmitting new plans based on this discussion.

DISSENTING VOTES AND RATIONALE:



Dennis Kunkle, HARB Vice-Chair

This application was reviewed by York City Council on 4-17-15 and has been

APPROVED DENIED



Carol Hill-Evans, President of City Council

The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of Interior regulations, 36 CFR Part 67) pertain to historic buildings of all materials, construction types, sizes and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent or related new construction. HARB applies these Standards to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

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7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
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10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



**York Historical Architectural Review Board
Meeting Minutes
March 26, 2015**

Members in attendance included John Fox, Chair; Dennis Kunkle, Vice Chair; Mark Shermeyer; Dave Redshaw, Justine Landis and Teresa Johnescu

Absent: Matt Argabright; W. Craig Zumbrun; Robin Pottorff

Consultant: Mary Alfson Tinsman, Cultural Resource Manager/HARB Consultant, JMT

AGENDA ITEM	DISCUSSION	ACTION/RESULT
Welcome and call to order John Fox, Chair	The meeting was called to order at 6:00 pm. The agenda had been prepared by City Staff.	A quorum was present.
Changes to the Agenda	There were no changes to the agenda.	
Minutes of March 12, 2015	No previous minutes had been provided.	Approval of minutes was tabled until the following meeting
Cases	The following cases are forwarded to York City council with the recommended actions.	

Case #1 – 101 S. Duke Street

Representing the Applicant (Royal Square):

Zack Funt – Royal Square Development, Project Manager

Holly DeKarske – Royal Square Development, Development & Administrative Coordinator

Joe Musso – Owner of Musso Real Estate Development

The applicant proposes to renovate the front façade of the building located at 101 South Duke Street. The applicant presented an alternate proposal at the previous HARB Meeting and the application was tabled pending the applicant returning to the HARB with additional details. The proposed renovations as presented at this meeting include replacement of the first floor multi-pane windows with single pane-windows, replacement of the existing doors with modern commercial doors, removal of the existing cornice and replacing it an Art-Deco style stainless steel trim and the application of blue and black glass tile.

Mr. Musso (applicant) introduced the proposed renovations to the Board including historic photographs of the building and the area. He indicated the proposed tenant is looking for something more eclectic that would help differentiate this building from others and that would differentiate the proposed first floor business (a café/donut shop).

Ms. Johnescu stated that she has admired other work by this developer in the area and that she feels they have previously shown respect for the historic fabric of the buildings that they are working on. She questioned why there was such a departure from this trend on this building. She noted that this building was previously the recipient of federal tax credits and that the façade had therefore been previously restored to the Secretary of the Interior Standards. *[At this time a copy of portions of the tax credit application were passed around]*. Ms. Johnescu asked if there was a way to find a middle ground with the proposed project that both preserved the historic integrity of the building while also meeting the needs of the developer. And if not, was there a different building that would better suit.

Mr. Musso restated that they are not trying to force anything on the Board and that they are trying to meet the needs of their client.

Mr. Redshaw stated that he understands the perspective of the applicant and that he had agreed to the previously submitted applicant with some compromises. This new application contains drastic changes from the previous application.

Mr. Fox stated that the proposed design is not “historic restoration” and that he cannot support this application. He reiterated that this situation is different than the building next door (105 S. Duke Street) and that the two buildings cannot be treated the same. The board would be remiss in their responsibilities if they were to support the proposed plans for 101 S. Duke Street. He further stated that he hoped that the individual interested in using the building would understand the character of the building and that Art Deco is not appropriate for this particular building.

There was significant discussion among the HARB board members with the applicant regarding the proposed Art Deco inspired alterations that were proposed. The board felt that the previous application was better suited, with minor adjustments. The board stressed that alterations that are reversible (such as awnings, painting the brick, etc...) are preferable.

Motion: On a motion by Mr. Redshaw, seconded by Ms. Johnescu, the Board voted 6 to 0 to deny the application.

Case #2 – 105 S. Duke Street

As part of the discussions involving 101 S. Duke Street the Board and the applicant also discussed the previously submitted application for 105 S. Duke Street (known as “Allyson’s”).

Motion: On a motion by Mr. Redshaw, seconded by Ms. Johnescu, the Board voted 6 to 0 to approve the application with one Amendment: that the applicant provide the Board Chair and Board Consultant the opportunity to review the proposed materials prior to construction.

Case #1 - 101 S. Duke Street- revisited

The applicant for 101 S. Duke returned with the proposed restaurateur who is looking to utilize both 101 and 105 S. Duke Street in order to better understand what would be considered appropriate from the Board's perspective for 101 S. Duke Street.

There was extensive conversation between members of the Board and the applicants. The Board worked to explain to the restaurateur what would be considered appropriate at this location and to explain why changes that are acceptable at some locations are not appropriate at others.

Mr. Redshaw explained that the building was a previous Federal Tax credit recipient and that a significant amount of money had been spent to restore the building's façade. Changing the façade now would negate the work that was done previously. Mr. Redshaw indicated that the only modern element on the façade is the door, which was replaced illegally. Mr. Redshaw further explained that this building is different than the adjacent 105 S. Duke Street which was previously altered in a way that changed the historic integrity of the building. 101 S. Duke Street was appropriately restored. Mr. Redshaw stated again that the Board does not have a problem with the proposed renovations to 105 S. Duke Street however 101 S. Duke Street should be treated differently in keeping with the Secretary of the Interior's Standards.

The applicant explained that their concern is to differentiate the first floor from the upper stories – and from the adjacent buildings – to draw in customers. He asked again what would be acceptable – can the doors be changed? The windows? Could the cornice be removed? Can the building be painted?

The Board indicated that the doors could be changed since they are already replacement doors. The multi-pane windows should remain since they are historic. The cornice should be retained as well. Paint would be acceptable as would awnings.

The applicant again stated that they want to work with the Board. Mr. Redshaw stated that the Board is keeping an open mind and that they want to work with the applicant to create something appropriate for the applicant that retains the historic integrity of the building.

Adjourning and next meeting

A motion to adjourn was made by Mr. Redshaw. Ms. Johnescu seconded. All in favor and the meeting was adjourned at 6:55 pm.

The next meeting is scheduled for Thursday April 9, 2015.

Minutes recorded by Mary Alfson Tinsman, Cultural Resource Manager/HARB Consultant, JMT.

Council of the City of York, PA
Session 2015
Resolution No. 27

INTRODUCED BY: Carol Hill-Evans

DATE: April 7, 2015

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby consents to the appointment made by the Mayor of **John A. Klinedinst** as a member of **Downtown Inc** (York Business Improvement District Authority), which term shall expire January 1, 2020.

PASSED FINALLY: April 7, 2015

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Satterlee, Nelson, Hill-Evans - 5

NAYS: None

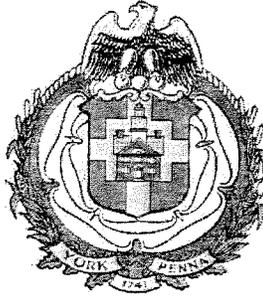
Carol Hill-Evans
Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson-Mitchell
Dianna L. Thompson-Mitchell, City Clerk

The City of York, Pennsylvania

Carol Hill-Evans, President of Council
Henry Hay Nixon, Vice President of Council
Renee S. Nelson, Member of Council
Michael R. Helfrich, Member of Council
David Satterlee, Member of Council



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Dianna L. Thompson-Mitchell, City Clerk
email: dthompso@yorkcity.org

OATH OF OFFICE

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF YORK)

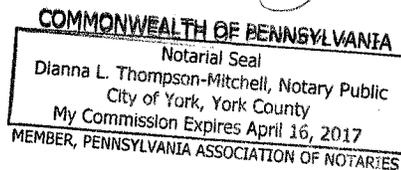
I, John A. Klinedinst, do solemnly affirm that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

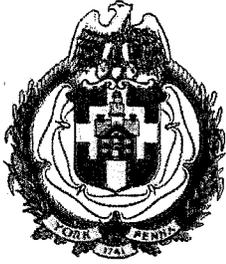
Signature: _____

John A. Klinedinst
**Appointment to the York Business Improvement District
Authority (aka Downtown Inc)
Resolution No. 27 of 2015**

Sworn and subscribed before me this 7th day of April 2015

Dianna L. Thompson-Mitchell
Notary Public





The City of York Pennsylvania

101 South George Street PO Box 509 York PA 17405
www.yorkcity.org

The Honorable C. Kim Bracey, Mayor

Executive Order

Issued by C. Kim Bracey, Mayor

I hereby appoint John Klinedinst, C.S. Davidson, York, PA 17401 as a member of the Downtown Inc. Board, which term shall expire January 1, 2020.

Witness my hand and seal this twenty-seventh day of March 2015.



C. Kim Bracey
Mayor