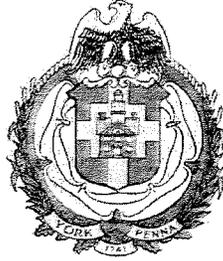


Council of the City of York, Pennsylvania

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: dthompso@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

March 19, 2013

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 committee meeting. 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

I pledge Allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, Indivisible, with Liberty and Justice for All.

V. Action on previous meeting Minutes of **March 5, 2013**.

VI. Correspondence and/or Announcements

VII. Presentations, Proclamations and Awards:

Declaration: Honoring Women's History Month – Sponsored by Henry Hay Nixon.

VIII. Committee Meeting(s) Scheduled

Committee Work Sessions: Scheduled for Wednesday, March 27, 2013 at 6:00 p.m. in Council Chambers to discuss items for April's legislative agenda.

IX. Status of Prior Committee Referrals:

Economic & Community Development Committee – Renee S. Nelson, Chair: The landowner curative map amendment submitted by York Building Products is scheduled to appear on the York City Planning Commission's April 8th meeting agenda for discussion. The meeting will be held at 7:00 p.m. in Council Chambers.

Fire Committee - Henry Hay Nixon, Chair: A Bill amending the Fire Prevention Code of the Codified Ordinances to phase out the requirement for connection to the city's gamewell system will be further discussed at Council's March 27th committee meeting.

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

Subdivision / Land Development / HARB

1. Resolution No. 19 - A Resolution
Accepting the recommendations of HARB.
Introduced by: Henry Hay Nixon
Originator: Historic York
2. Resolution No. 20 - A Resolution
Approving the final reverse subdivision and land development plans submitted by Darrah Realty. (To combine 3 parcels into one and redevelop an existing bldg into an 8-unit family/neighborhood commercial land use at 237-241 S. Court St.)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (Planning)

Final Passage of Bills / Resolutions

NONE

New Business

3. Resolution No. 21 - A Resolution
Reappointing members to various boards and authorities.
Introduced by: Carol Hill-Evans
Originator: Council/Mayor

- 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 2013
Resolution No. 19

Introduced by:


Henry Hay Nixon

Date: **March 19, 2013**

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. **Dan Dwyer** for work to be done at **17-19 W. Market St.**
2. **Erin Kilby** for work to be done at **156 N. George St.**

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

Passed Finally: **March 19, 2013**

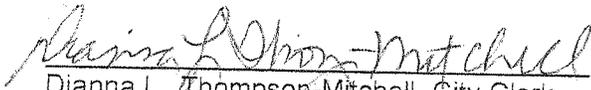
By the following vote:

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

NAYS: None


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson-Mitchell, City Clerk



York Historical Architectural Review Board Agenda

5:30 PM Wednesday, March 6, 2013
101 South George Street, York, PA 17401

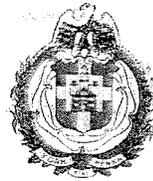
- I Welcome (5:30pm): John Fox, HARB Chair
- II Agenda (5:31 – 5:32pm): Additions or changes to the agenda
- III Minutes (5:33 – 5:35pm): Approve minutes from January 2nd, 2012 HARB meeting
- IV Cases (5:36 – 6:25pm):

01. 17-19 West Market Street – A request by Dan Dwyer for a Certificate of Appropriateness to replace deteriorated fiberboard siding with new Hardi-plank siding to match the existing in color.

02. 156 North George Street – A request by Erin Kilby for a Certificate of Appropriateness at 156 North George Street to install an Insulation Finish System overlay to the eastern portion of the North facade and corrugated metal panel siding to the remaining north facade. The applicant also proposes to replace the fabric awnings on the front facade over the existing frames, with a metal cladding to match the proposed metal siding.

V Other Business

VI Adjourn (6:30pm)



York Historical Architectural Review Board

Meeting Minutes

5:30 PM Wednesday, March 6, 2013

DRAFT

A meeting of the York Historical Architectural Review Board was held on Wednesday, March 6th, 2013 at 5:30 PM at 101 South George Street, York, PA.

Members in attendance included John Fox, Chair; Theresa Johnescu; Justine Landis; Genevieve Ray; Craig Zumbrun; and HARB Consultant Alycia Reiten.

Absent: Matt Argabright; Robyn Pottorff, Mark Shermeyer, Dave Redshaw, Dennis Kunkle

On a motion by Craig Zumbrun, second by Justine Landis, the board voted 5-0 to *Approve* the minutes of the January 2nd, 2013 HARB meeting.

The following cases are forwarded to York City Council with the recommended actions:

1. 17-19 West Market Street – A request by Dan Dwyer for a Certificate of Appropriateness to replace deteriorated fiberboard siding with new Hardi-plank siding to match the existing in color.

Points of Discussion:

- The application was presented by Dan Dwyer. He described the project along Cherry Lane which included proposed new cement fiber board siding for the light bays, to match what had been done in 2002.
- The existing material in two bays is a fiberboard siding. The proposed replacement will be the same as what was done in the front bay, to match in color (cream) and smooth finish.

On a motion by Craig Zumbrun, second by Teresa Johnescu, the board voted 5-0 to *Approve* the application as presented.

2. 156 North George Street – A request by Erin Kilby for a Certificate of Appropriateness to install an Insulation Finish System overlay to the eastern portion of the North façade and corrugated metal panel siding to the remaining north façade. The applicant also proposes to replace the fabric awnings on the front façade over the existing frames, with a metal cladding to match the proposed metal siding.

Points of Discussion

- The application was presented by Erin Kilby. She described the request to install an Eface material on the eastern portion of the north wall, and a vertical metal siding on the remaining same wall. She also provided plans of wall sections showing how the bricks are attached to the building.
- The property is constructed of precast stone and bricks with a precast floor for the lower level. The lower stories have three rows of brick and only two as the wall height increases.
- The original use of the building was for cold storage so the structure was not built to satisfy the elements of today's business use. The tenant fit out was placed inside the interior walls. Water infiltrates the brick panel, runs down the 1st course of bricks to the concrete floor whereby causing deterioration.
- The brick is a porous bee-hive construction, no longer manufactured.
- Owner Tim Kinsley joined the meeting. He explained the use of the building, equipment being destroyed by water and the amount of work previously done including re-mortaring and Primapel clear masonry sealant applied. There are still pin-holes that you can see through to the outside, allowing water to penetrate. The brick is soft and will continue to deteriorate.
- Craig Zumbrun discussed his familiarity with this issue from first-hand experience in which the building walls had to be disassembled and rebuilt as the most appropriate approach. He stated that a stipulation should be added to ensure that a masonry specialist is contacted for proper sealant before additional treatment or changes occur.
- Teresa Johnescu said that her opinion of the modern windows on the north wall already changed it to a non-conforming appearance and that the contemporary siding proposed is consistent with the other changes.
- John Fox referenced absent HARB members emails regarding additional consideration that has been undertaken for alternates to solve the problem. He suggested that Mortar Preservation Specialists (MPS) should be consulted.
- The owner said that if an alternative solution could be found, they would be willing.
- Teresa Johnescu asked about the other portion of the application related to the awnings. The existing are fabric therefore the metal change is not appropriate.
- The applicant stated the proposal was to try to provide consistency in the overall appearance with the proposed metal siding.
- Discussion continued related to additional material considerations and applications.

On a motion by Craig Zumbrun, second by Genevieve Ray the board voted 5-0 to conditionally *Approve* the application with the following stipulations:

- The applicant to consult with MPS and meet with Historic York
- Provide copy of consultation results to Historic York
- Exercise options presented by MPS if reasonable solution
- Canopy awnings to be replaced with canvas

V Other Business

Being no further business the meeting was adjourned at 6:30pm.

Council of City of York, PA
Session 2012
Resolution No.20



INTRODUCED BY: **Renee S. Nelson**

DATE: **March 19, 2013**

WHEREAS, Darrah Realty submitted a Final Reverse Subdivision and Final Land Development Plan for 237-241 S. Court Street, proposing to abandon two (2) property lines to combine three (3) parcels into one parcel, and re-develop an existing building into an eight (8) unit multi-family and neighborhood commercial land use; and

WHEREAS, the City Zoning Officer, City Planner, and City Engineer have reviewed and recommended approval of the plan; and

WHEREAS, the Final Reverse Subdivision and Final Land Development Plan submitted by the applicant is in general accordance with the City's Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the York City Planning Commission recommended approval of the Final Reverse Subdivision & Final Land Development Plan at its regularly scheduled meeting held on March 11, 2013 with the following waivers and contingency items:

1. Waiver from requiring a preliminary plan for Subdivision and Land Development
2. Waiver from drawing scale
3. Waiver from additional cartway and right of way
4. Waiver from written statement of Traffic Study
5. Waiver from list of names and address of all adjacent property owners within 200 ft
6. Waiver from streetlights.
7. Waiver of recreation space & fee in lieu of
8. Conditioned on resolution of all Planning Staff comments.
9. Conditioned on resolution of all of the City Engineer's comments
10. Conditioned on resolution of all additional departmental comments.
11. Address relevant YCPC comments.
12. Waiver from provision of curb and sidewalks
13. Waiver from driveway and curb cuts
14. Conditioned on Planning Commission requirements for recommendation of approval

WHEREAS, the applicant has sufficiently addressed a majority of the items outlined in the Planning Commission recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of York, Pennsylvania that the action of the York City Planning Commission in recommending approval of the Final Reverse Subdivision Plan and Final Land Development Plan submitted by Darrah Realty with the above waivers is hereby affirmed, and the President of Council and City Clerk are authorized to certify this approval by affixing their signatures to the Final Reverse Subdivision Plan and Final Land Development Plan

PASSED FINALLY: **March 19, 2013**

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 2013
Resolution No. 21

INTRODUCED BY: **Carol Hill-Evans**

DATE: **March 19, 2013**

BE IT RESOLVED, by the Council of the City of York, Pennsylvania, that Council hereby consents to the reappointment of the following:

1. William D. Guntrum as an alternate member of the Zoning Hearing Board, which term shall expire January 1, 2016.
2. Don Hake as a member of the Nuisance Abatement Board of Appeals, which term shall expire April 1, 2016.

PASSED FINALLY: **March 19, 2013**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, ~~Satterlee~~, Nelson, Hill-Evans - ~~5~~ 4

NAYS: None ABSTAIN: Satterlee - 1



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson-Mitchell, City Clerk