



STAFF REPORT (All suggestions / recommendations in this report are advisory)

TO : Allentown City Planning Commission

FROM : Planning Bureau
Jesus Sadiua, Senior Planner

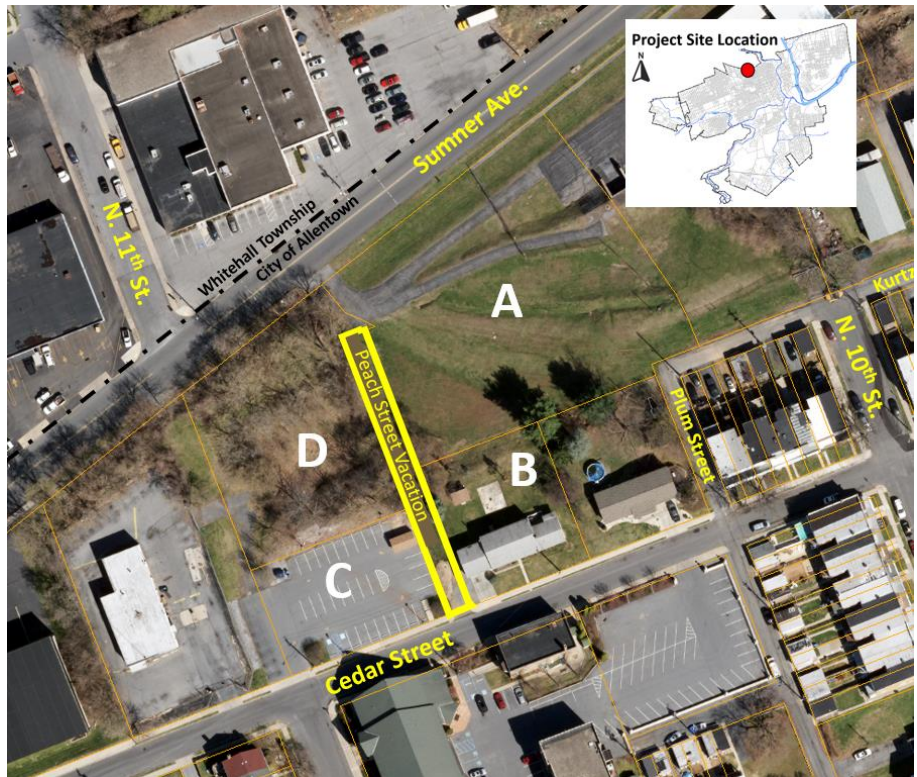
SUBJECT : PROPOSED VACATION OF A SEGMENT OF NORTH PEACH STREET (CPC Case #21-9)

DATE : February 8, 2022

BACKGROUND

1. This proposed street vacation comes from Daniel Witczak (Acela Architects & Engineers) representing the interest of Ralph Weaver, Inc.
2. The subject segment of North Peach Street is in north Allentown, on Cedar Street between N. 10th and N. 11th Streets (Fig. 1).
3. The purpose is to officially close the roadway and acquire a portion its right-of-way for development as part of a proposed warehouse on Sumner Street (i.e., CPC Case No. LMA-2021-00027).

Fig-1. Aerial photo of the vicinity showing North Peach Street and abutting parcels.



FINDINGS

4. This segment of North Peach is deemed a "paper street." Although paper streets exist and are identified and outlined in parcel maps, they are not drawn on street maps as traversable roadways.

5. This segment of North Peach Street has been in existence since the general area was subdivided in the late 1920s. However, the subject street segment was never developed as a roadway and, therefore, was never opened to vehicular traffic. Moreover, it is not a through-street.
6. Part of the subject street segment – the south section that abuts Cedar Street – appears to have been improved by an abutting parcel owner for private use (see Item 9a). The remainder of street, however, towards the north, is unimproved (no paving, no gutters) and contains unplanned vegetation e.g., grass, shrubbery, brambles.
7. The public right-of-way of this segment of Peach Street is 20 feet wide and runs a length of some 270 feet – translating to an area of (+/-) 5,250 ft² or about 0.12 acres of developable land.
8. There are four parcels abutting this segment of North Peach St (see Fig-1 for parcel label reference).
 - a. Parcel A is a vacant lot owned by Ralph Weaver, Inc. This will be the principal parcel that will contain a proposed warehouse on Sumner Ave.
 - b. Parcel B is owned by Sergio/Ruth Herrera. It contains an occupied single-family dwelling structure.
 - c. Parcel C is a parking lot owned by Most Rev. Alfred Schlert that serve the congregants of St. Francis of Assisi Church across Cedar Street.
 - d. Parcel D is a vacant lot owned by County Restoration Holdings. The east half of this parcel has been optioned for purchase by Project Proponent. If the purchase proceeds, the plan is to integrate this purchase – and the relevant lands accruing from the street vacation that favors Ralph Weaver Inc – with Parcel A.
9. During the Staff’s site visit (Dec. 20, 2021), the following were observed:

- a. *The owner of Parcel B, aka 1035 Cedar Street, appears to be using part of the subject N. Peach Street as an extension of said property for off-street parking (Fig-3). It is graded and surfaced with loose gravel.*
- b. *Parcels A, C and D do not appear to be involved in any form of use or maintenance of the subject street.*

Fig-3. Partial improvement on Peach St by Parcel B.



10. In accordance with Article 915 of the City’s Codified Ordinances (re: Street Vacations), Planning Staff considered the proposed vacation against criteria prescribed therefor:

- a. Whether the right-of-way vacation will adversely affect the street pattern or circulation of the immediate area or of the community as a whole.
 - *This is not a through-street. Its closure will not have a disruptive effect on the existing street pattern and traffic circulation since the subject street was never opened in the first place.*
- b. Whether the public need will be adversely affected.

- *Considering that this street segment was never developed as a roadway and never opened to traffic, the public need for it up to this point in time is nil.*
- *(Please see response from abutting property owner in Item 12.a, re: Parcel B).*

- c. Whether the public right-of-way may be needed for future public use.
- *Planning Staff defers to Public Works on future plans for this paper street.*
- d. Whether any abutting property owner will become landlocked or will have his access substantially impaired.
- *The matter of land-locking parcels in this instance is a non-issue. All four affected parcels will remain accessible from their respective street frontages on Cedar Street and on Sumner Avenue.*
 - *(Please see response from abutting property owner in Item 12.a, re: Parcel B).*

11. In view of the foregoing findings Planning Staff is inclined to agree with the petition.

12. Meanwhile, the City’s Chief Surveyor (Brian Borzak, Public Works Dept) informs of the following:

a. Comments from abutting properties were obtained with the following results:

Parcel Label	Property Owner	Response
A	Ralph Weaver, Inc. (Represented by Petitioner)	
B	Sergio and Ruth Herrera	Objects. Concerned about what traffic [will encroach in] to our property. I don’t want it to be a private street.
C	Most Rev. Alfred Schlert	No objection.
D	County Restoration Holdings	Has not replied.

b. Utility agencies were also polled with the following results:

Utility Agency	Response
PPL	No objection.
UGI	No objection.
LCA	No objection.
Verizon	No objection.

c. City units that have a conceivable interest in vacating the subject street were also polled with the following results:

City Staff /Department	Response
A P D	Has not replied.
A F D	Has not replied.
Traffic Engineer	No objection.
Stormwater Engineer	No objection.
Communications /EMS	Has not replied.

d. Based on the foregoing, *PW staff poses no objection to the subject street vacation.*

13. Moreover, in LVPC's review the subject vacation LVPC staff found the proposal consistent with regional policies that promotes context-specific design solutions.
 - a. While LVPC supports the closure, it recommends that access should be retained for utility agencies to enable proper maintenance of their respective facilities.*

CONCLUSION

14. Planning Staff is inclined towards vacating the subject street with due regard to the pending responses from the AFD, APD and EMS.