

Planning & Zoning Staff Report to Allentown City Planning Commission

CPC Case: #21-6 Vacating Chestnut St. from American Parkway to the East side of Race St.
Petitioner: 315 West Linden Street, LLC
DATE: November 2, 2021

Background

1. This request comes from 315 West Linden Street, LLC
2. The subject roadway is in Center Allentown, bordering the west side of East Allentown.
3. The purpose of the street vacation, as indicated by the applicant, is because it currently serves no public purpose and provides no access to American Parkway.



Findings

1. The subject roadway is an approximately 264' long, 20' wide right of way located between American Parkway to the east and Race Street to the west.
2. The subject roadway connects to a paved driveway that runs parallel to American Parkway where there is an egress and ingress for the apartment building at 315 W. Linden St.



3. The subject roadway is currently an unmaintained mixture of gravel, pavers, and grass.
4. To the south, the subject roadway directly abuts a residential apartment building and to the west and north it abuts a railyard.



5. Per a letter from LVPC the access should be maintained if the proposed street vacation is approved to ensure adequate access for emergency vehicles to the apartment building.
6. Planning Staff also evaluated the proposed vacation against criteria prescribed under Article 915 (re: Street Vacations) of the Codified Ordinances of the City of Allentown, as follows:
 - a. Whether the right-of-way vacation will adversely affect the street pattern or circulation of the immediate area or of the community.
 - i. *The proposed street vacation will have no adverse impact on the street pattern but will change the existing circulation around the apartment building as it will eliminate access to the drive that runs parallel to American Parkway.*
 - b. Whether the public need will be adversely affected.
 - i. *No adverse effect is anticipated as a result of the street vacation.*
 - c. Whether the public right-of-way may be needed for future public use.
 - i. *Planning staff does not anticipate a need for the public right of way. Currently Chestnut Street provides little connectivity to other streets and functionally only provides for vehicle circulation around the northern perimeter of the building. However, it is noted in the LVPC letter maintaining access for emergency services should be a consideration. Planning staff would also recommend additional clarification on the future use of this area.*
 - d. Whether any abutting property owner will become landlocked or will have his access substantially impaired.
 - a. *The access gate for the railyard is located where Race Street and Chestnut Street intersect. It does not appear that the street vacation will eliminate access and RJ Corman RR Company does not object.*

4. A Staff Report from the City’s Public Works Dept informs of the following:

- b. There is no objection from the adjoining property owner, RJ Corman RR Company.
- c. Utility agencies were also polled with the following results:

Utility Agency	Response
PPL	No Objection
Verizon	Objects: Existing facilities within the subject area
UGI	No Objection
LCA	No Objection

- d. City units that have a possible interest in vacating the subject street were also polled with the following results:

City Staff /Department	Response
A P D	No response
Communications /EMS	No response
A F D	No objection
Traffic Engineer	No objection
Stormwater Engineer	No objection

Summary

1. Based on evaluation, Planning Staff is inclined to endorse the proposed vacation provided all concerns and comments from relevant City departments and utility entities are satisfactorily addressed.
2. The Bureau of Engineering has no objection to the subject street vacation with the condition that easements are provided for the existing utilities within the right-of-way of the subject street vacation and the City shall reserve a drainage easement encompassing the subject area.