



**Planning & Zoning Staff Report to
Allentown City Planning Commission**

All comments in the report are advisory

CPC Case # : 22-08 – Vacate Segments of W. Cumberland, S. Sixth, Virginia and Susquehanna Streets
 Petitioner : Benchmark Engineering (for The Khan Partnership)
 DATE : November 9, 2020

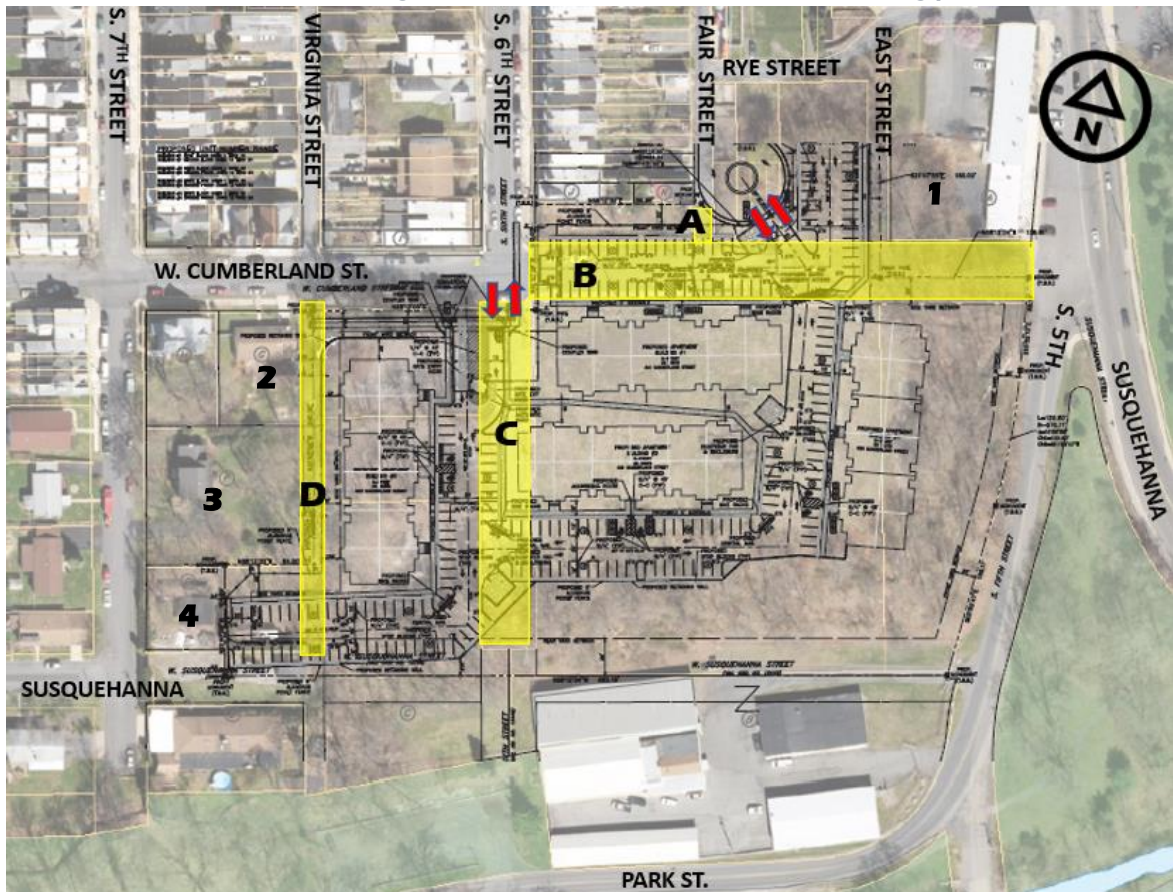
Background

1. This proposed vacation comes from Benchmark Engineering on behalf of The Khan Partnership. The subject roadway segments are in South Allentown:

Street Segment (also, refer to Figure 1)		Width (ft)	Length (ft)	Acres
A	Fair Street, from W. Cumberland to the north boundary line of Parcel #6406 3623 8192	20	40	0.02
B	W. Cumberland, from S 6 th to S 5th	60	476	0.64
C	S 6th, from W. Cumberland to Susquehanna	52	345	0.41
D	Virginia, from W. Cumberland to Susquehanna	20	0.16	
Total Acres Gained				1.23

2. The purpose is to officially close the roadways and acquire the freed-up rights-of-way to form part of the project called Cumberland Apartment Complex (i.e., CPC Case No. LMA-2022-

Figure 1. Summit Street to be vacated and abutting parcels and land uses.



00015 & LDC-2022-00007), which will be reviewed by ACPC later.

3. Petitioner requests that the vacation be granted with easements.

Findings and Recommendation

4. These streets were dedicated separately between the years 1909 and 1915 at the time of their respective subdivision.
5. Except for paved portions of S. 6th Street, from W. Cumberland, south towards Susquehanna ($\approx 260'$) and W. Cumberland, from S. 6th east to Fair Street ($\approx 170'$), these street segments are unimproved.
6. There are four (4) parcels -- not owned by the petitioner -- deemed affected by the proposed street closures (refer to Fig-1):
 - Parcel 1 is owned by Siya Real Estate. This parcel contains an occupied commercial structure with multiple tenants. This property has primary and secondary access S. 5th Street.
 - Parcel 2 is owned by Gustavo /Lydia Puello. It currently hosts an occupied single-family structure. This property is accessible from both W. Cumberland St and Virginia St.
 - Parcel 3 is owned Gloria /Edward Roth. The parcel contains an occupied single-family structure. This property is accessible from S. 7th St.
 - Parcel 4 is owned by Thomas Amici and Rhudell Sacchet. This property currently hosts an occupied single-family structure. Access to this property is S. 7th Street.
7. Planning Staff considered 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.
 - *Yes and No..*
 - *For Fair Street, it will lose its T intersection with W. Cumberland such that local traffic will have to find an alternative to exit from Fair Street **to points west** of the development.*
 - *However, all the other parcels – not owned by Petitioner – have primary access to N. 6th. As such the loss of the T intersection on Fair and Cumberland is deemed acceptable.*
 - *Except for Fair Street, all the subject street segments terminate to a dead end. As such, traffic circulation will not be affected since these are not through streets.*
 - b. Whether the public need will be adversely affected.
 - *No. As pointed out in Item 7.a the loss of the T intersection on Fair Street and Cumberland Street is deemed acceptable since the parcels abutting Fair Street will still be accessible from all points.*
 - c. Whether the public right-of-way may be needed for future public use.
 - *Planning Staff defers to the PW Staff as to future plans for the subject street segment.*

- d. Whether any abutting property owner will become landlocked or will have his access substantially impaired.
- *No. All four parcels deemed affected will not be landlocked. All will remain accessible through their respective street frontage.*

8. Staff Report from the City's Public Works Dept informs of the following:

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

Property Owner	Response
Siya Real Estate (Parcel A)	<i>Objects to the vacation.</i>
Gustavo /Lydia Puello (Parcel B)	Does not object if given easement.
Gloria /Edward Roth (Parcel C)	Does not object.
Amici and Sacchet (Parcel D)	Does not object.

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

Utility Agency	Response
PPL	<i>Objects to the vacation; it has facilities to maintain within the rights of way.</i>
UGI	<i>Objects to the vacation; it has facilities to maintain within the rights of way.</i>
LCA	<i>Objects to the vacation; it has facilities to maintain within the rights of way.</i>
Verizon	<i>Objects to the vacation; it has facilities to maintain within the rights of way.</i>

- 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	No response yet.
A F D	No objection.
Traffic Engineer	No objection.
Stormwater Engineer	No objection.
Communications /EMS	No response yet.

- d. *PW Staff has no objection to the proposed streets vacation on the condition that easements are provided for all existing public utilities.*

9. On the other hand, in its review the subject vacation, the Lehigh Valley Planning Commission recommends caution as it suggests for the City to consider a transportation circulation study of the impacts of vacating the improved streets listed in the street vacation petition. This study should include vehicular traffic patterns, vehicular parking, alternative modes of transportation (bicycling), transit and pedestrian movements including those with limited abilities.

10. *Based on findings of the Planning Staff, the LVPC and the polling results by Public Works, Planning Staff recommends endorsement of the vacation to City Council with easements for utilities and affected property owners.*

For consideration.