



All comments in the report are advisory

STAFF REPORT

TO : Allentown City Planning Commission

FROM : Planning & Zoning Bureau
Melissa Velez (Zoning Officer)
Jesus Sadiua (Sr Planner)
Mark Hartney (Deputy Director of CED)

SUBJECT : Proposed Re-Zoning of Lands on Riverside Drive, Between W. Allen and W. Liberty Streets and Amendment to Zoning Text by Urban Residential Properties

DATE : October 11, 2022

Background

- 1) (Refer to Fig-1) The subject is a petition to:
a) Change the zoning designation of Parcels 1 and 2 from Industrial 3 (General Industrial) to Business 5 (Urban Commercial); and,
b) Amend the zoning text to allow the B5 lands that touch both east and west borders of Riverside Drive and those immediately west of the Lehigh River to assume the area and yard requirements as those applied in the B2 District, a.k.a. Central Business District. (To facilitate discussion this report will refer to these parcels as Parcels A through J.)
i) In reaction to the staff's preliminary and unofficial comment to the petition - where the staff mentioned that we were not inclined to apply the requested B2 zoning standards on area, yard and height in view of the need protect the abutting residential neighborhood from additional crowding issues such as: effect of shadowing, loss of natural light, and sky views, sense of enclosure, but staff also mentioned the we may not be opposed to applying B2 zoning standards on parcels immediately west of the Lehigh River (i.e., Parcels A and C), we also mentioned that staff is more inclined to extending the RRO (Riverfront Redevelopment

Fig-1. Aerial of the vicinity showing affected parcels outlined in red.



Overlay) southward to Hamilton to accommodate some of the zoning concerns of the developer – Petitioner submitted an amendment to include only B-5 parcels located between Riverside Drive and the Lehigh River (that is: Parcels A thru F).

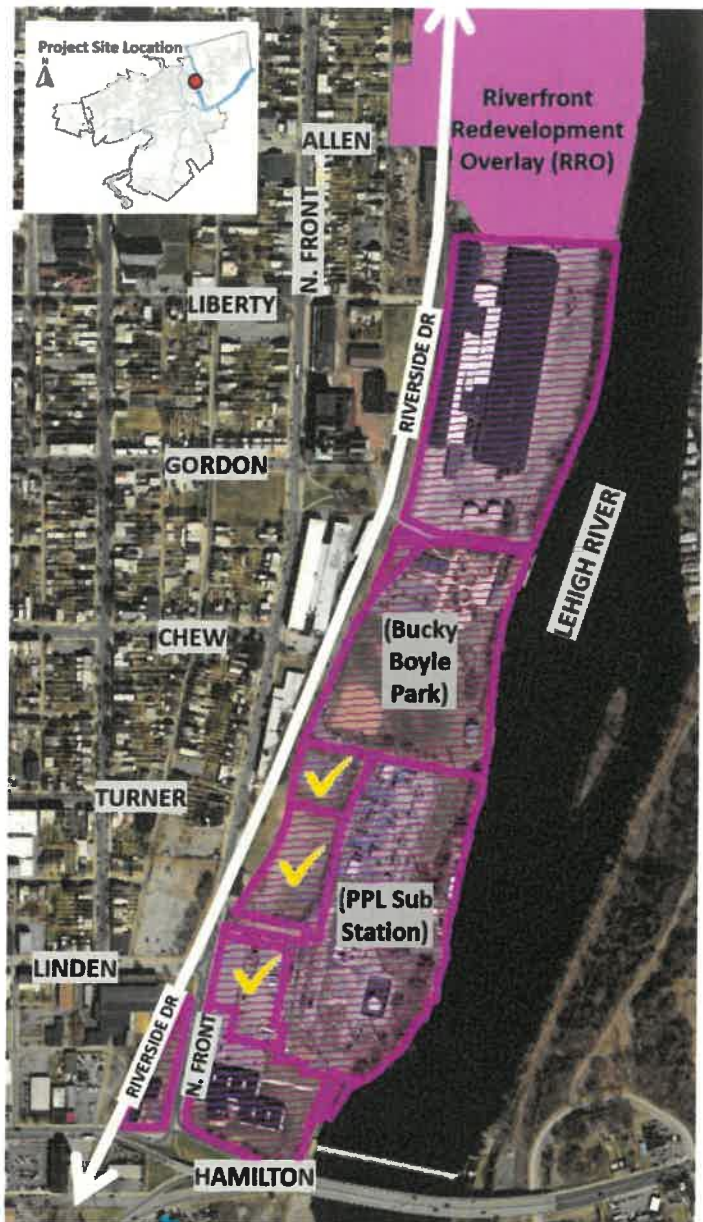
- 2) The petition is accompanied by a draft legislative bill to enable the proposed changes with repealer and severability clauses.

Findings / Comments

- 3) In Allentown, B5 zoning districts were created to provide “areas that balance neighborhood commercial needs with those of a larger service area, though less highway oriented. The district is also intended to facilitate the redevelopment and reuse of obsolete and vacant land and buildings by providing for a range of compatible commercial, entertainment and public uses.”
- 4) On the other hand, the B2 District – also known as the Central Business District – was established to “promote residential density and building intensity, and encourages a wide variety of retail, office, service, residential, governmental, cultural, entertainment and institutional uses in the Downtown. The district’s standards are intended to maximize commercial development opportunities and housing density, as a tool to enhancing the market for Downtown businesses and increase the pedestrian levels. To broaden the reuse of commercial opportunities for older and larger buildings, the B-2 provides opportunities for selected light manufacturing uses whose impacts are compatible with the qualities of the Downtown.”
- 5) Finally, the RRO “recognizes an area of Allentown that is uniquely situated compared to other areas of Allentown. This district allows future development and adaptive reuses consistent with such uniqueness.” Among other purposes, the RRO was created to:
 - a) Promote appropriate mix of compatible uses that provide for a variety of employment opportunities and housing types, including mixtures of business and residential uses in the same building.
 - b) Improve the public’s access to the river and maximize the visibility of the riverfront
 - c) Carry out the purposes of the Traditional Neighborhood Development (TND) and the purposes of the Planned Residential Development (PRD) as provided in the State Municipalities Planning Code,
 - d) Promote housing that serves various types of households.
 - e) Allow modification of certain requirements through the PRD process by the Planning Commission.
- 6) *Staff does not object to the re-zoning of Parcels 1 and 2 from I-3 to B-5. The land uses permitted in B5 districts are deemed more compatible with the adjacent residential uses. While there are industrial uses permitted in B-5s, such industrial uses are generally less intensive than others permitted in the I-3.*
- 7) As regards the proposed text amendment, while Staff recognizes the petitioner’s desire to bring intensity and density to the Riverfront, we would like to offer instead the expansion of the RRO – with certain changes – from its present southern limit to extend further south to Hamilton Street, for the following reasons:
 - a) The built form of Downtown is principally characterized by building up to lot lines with no setbacks such that most properties in Downtown are not benefitted with greenery and trees (except street trees), which make walking experience uninteresting, hurried even tense to some pedestrians brought on by the closeness of the buildings to the sidewalk.
 - b) On the other hand, the Riverfront is an asset that Allentown is just beginning to take full advantage of. The A-CPC may appreciate that careful thought has been brought to bear into the planning for activities in this area, which is the primary reason for the creation of the RRO.

- c) Like the Downtown, the RRO has a similar aim of bringing intensity and density to the area through the location of compatible mix of land uses and thoughtful planning of its roadways, structures and places where these uses will be located.
- d) If it were logical (and expedient) to develop the Riverfront just like the Downtown, our earlier planners would have just extended the B-2 zoning from Hamilton and up along the river.
- e) Rather, the earlier city planners devised a zoning overlay to guide /regulate developments along the Riverfront (from Hamilton to Tilghman).
- f) This is deemed consistent with and supportive of the goals of Vision2030 and the Lehigh River Waterfront Master Plan.

Fig-2. Proposed extension of the RRO to Hamilton Street with modifications.



Conclusion

- 8) *Staff does not object to the re-zoning of Parcels 1 and 2 from I-3 to B-5.*
- 9) *With regard to the text amendment, Staff suggests for the petitioner to consider a modified and rather liberal RRO (Table 1, Col-5), which can be reviewed alongside similar zoning features offered in B5, B2 and the current RRO.*
 - a) *Staff is willing to work further with the petitioner in making this work with due regard to observing the objectives of the current RRO, the Master Plan for the Lehigh River Waterfront and Vision2030.*
- 10) *Further, Staff proposes to apply the modified RRO on the parcels between Riverside Drive and the Lehigh River, from Hamilton Street up to the south edge of the current RRO (i.e., the parcels in hatched lines in Figure 2). Note that this arrangement also includes lands that are zoned B-LI (those with yellow check marks), as well as Bucky Boyle Park and the PPL sub-station. This arrangement achieves contiguity in the zoning overlay, which is proper.*
- 11) *Should this Modified RRO gain acceptance, it will be available to the current developer of the Waterfront Redevelopment Project (spearheaded by Jaindl Enterprises).*

Table 1. Comparison of Certain Zoning Features in B5, B2, the RRO and a Modified RRO

Zoning Feature	B-5 District (Urban Transition MFD)	B-2 District	RRO District	Modified RRO
Minimum Acreage for master planning	None	None	20 ac	3
Minimum Acreage of phased development	None	None	3 ac	1
Minimum Lot Area - square feet	4000	2000	None	None
Minimum Lot Width	40, except 45 for a corner lot	20	20**	20**
Minimum Front Yard	10 (R)	0	0	0
Minimum Rear Yard	5 (D)	0	0	0
Minimum Width of Each of 2 Side Yards	5 (H)(D)	0 (H)	0	0
Maximum Height in Feet	50 (S)	No Maximum	140	No Maximum
Maximum Percent of "Building Coverage"	70%	No Maximum	70%***	80%***
Maximum Residential Density	n/a (not applicable)	n/a	25 Dwelling Units/Acre *	??
Residential Parking (off street)	.075 (applied to each dwelling unit in excess of 4)	.075 (applied to each dwelling unit in excess of 4)	1.5 per multi-family dwelling unit	.075 (applied to each dwelling unit in excess of 4)
Minimum Building Setback from the Perimeter of the Tract	n/a	n/a	20 Feet, except a minimum of 50 feet from a residential district boundary for a building of greater than 40 feet in height.	20 Feet, except a minimum of 50 feet from a residential district boundary for a building of greater than 40 feet in height.
Buffer Yard Required	n/a	n/a	No, except a 10 foot wide buffer yard shall be required if a pre-existing principal dwelling in a residential district is adjacent or across a street or alley from a new principal business use and such dwelling is not within the RRO District	No change.
River Front Building Setback	n/a	n/a	Minimum of 25 feet from the top of the bank of the Lehigh River or a structural wall along the Lehigh River, based upon conditions that will exist after the development is completed, based upon the approved Final PRD Plan.	Minimum of 25 feet from the top of the bank of the Lehigh River or a structural wall along the Lehigh River, based upon conditions that will exist after the development is completed, based upon the approved Final Master PRD PRD Plan.

NOTES:

- * The Maximum Residential Density shall be based upon the total area of the tract, before the deletion of rights-of-way of proposed streets and before the deletion of open space. Dwelling units may be located within the same building as allowed non-residential uses, provided such mixture of uses is consistent with the Master Plan.
- ** Individual uses or buildings may be owned in a condominium arrangement, without each condominium unit needing to meet the minimum dimensional requirements (such as lot width and yards), provided that the applicant shows that the development would have been able to meet the dimensional requirements if individual lot lines had been established.

*** The Maximum building coverage shall be based upon the ground level footprint of all buildings on the tract divided by the total area of the tract. Individual lots may have a higher building coverage, provided that the maximum is not exceeded for the tract. The City may require that certain lots include a deed restriction limiting their maximum coverage to ensure that the maximum overall coverage requirement is met across the tract over time.

(D)= Except a 10 feet wide minimum setback shall apply for each such yard that is abutting or across an alley from an adjacent residential district.

(H)= On a corner lot that is adjacent to two intersecting streets, a front yard shall be provided abutting one street, and abutting the second street, a side yard with a minimum width of 15 feet shall be provided, except: 1) no side yard shall be required in the B-2 districts, and 2) such side yard shall be 5 feet in the B1/R, B-5 and B/U districts. A side yard is not required from a lot line along which buildings are lawfully attached.

(R)= The following criteria shall apply to any urban transition multifamily development (UTMFD): 1) Minimum integrated lot area shall be at least 24,000 square feet, which may include area from adjacent lots that are under common ownership or have elements of common ownership; 2) Minimum front yard shall be five feet; 3) Maximum height of residential units shall not exceed five stories or 65 feet, exclusive of integrated parking structures. Where integrated parking structures are included as part of the UTMFD project, there shall be no more than two parking structure levels, and the total integrated building height of parking and residential units shall not exceed 80 feet; and 4) Maximum percent of building coverage shall be 90%. All other area and yard requirements for B-5 shall remain unchanged for UTMFD.

(S)= Except an 80 feet maximum height shall apply to hotels and motels.