

AUBRIE M. MILLER, CZO  
Zoning Officer  
Bureau of Planning & Zoning  
435 W. Hamilton Street 4th Fl  
Allentown, PA 18101-1699  
Office 610-437-7630 ext.2868  
Mobile 484-523-2567  
Fax 610-437-8781  
[Aubrie.Miller@allentownpa.gov](mailto:Aubrie.Miller@allentownpa.gov)

December 22, 2022

Exchange 32 LLC  
1177 6<sup>th</sup> St  
Whitehall, PA 18052

**NOTICE OF VIOLATION**  
**RE: 2236-2280 S 12<sup>th</sup> St**

Dear Sir or Madam:

Based upon information received, and an inspection by this office, we find that you have been working on/utilizing the above listed property without the proper permits.

Article 660-8.A.1.a & .c of Allentown Zoning Ordinance #14835 as amended, states: "Zoning Permits: Permit Required- A zoning Permit shall be required from the Zoning Officer prior to any of the following: (a.) the initiation of a new or expanded use of land or structures..." (c.) The construction, extension or placement of any stationary sign, portable sign or billboard, other than signs specifically exempted by this chapter from permit requirements

Article 660-66.F.2 & 660-66.F.3 of Allentown Zoning Ordinance #14835 as amended, states "General Sign Regulations: Banners: Banners shall be permitted on nonresidential properties in business or industrial districts provided they comply with the following regulations: (2) Banners shall not exceed 64 square feet in area & (3) Banners shall comply with the requirements in the above section 660-66.E.5 – Except for those purposes listed in 660-66.K, each permitted nonresidential property may display one portable sign or banner for two (2) periods of 15 consecutive days each during any twelve-month period.

Article 660-77.B.1.b & 660-77.B.2.a & b of the Allentown Zoning Ordinance #14835 as amended, states Parking lot, outdoor storage and loading area landscaping. A planting strip shall separate the following features from a public street if any of the following are adjacent to and visible from a public street (b) Routine overnight parking of three or more tractor trailer trucks or trailers of such combination. The planting strip shall include:

- (a) Shrubs that are primarily evergreen; and
- (b) An average of one deciduous shade tree for every 40 feet of street frontage.

- [1] Existing shade trees that will be preserved may be used to meet such requirements.
- [2] Such shade trees may be planted within the right-of-way provided they meet City requirements.
- [3] The shrubs should have a maximum trimmed mature height of five feet to allow oversight of the parking at eye-level for security purposes.

Therefore, you are hereby notified to cease all activity, file an application for use along with all applicable plans, or file an appeal to the Zoning Hearing Board within thirty (30) days of receipt of this notice.

Failure to comply with this notice will result in prosecution. Upon conviction you will be subject to a fine of up to Five Hundred (\$500) Dollars. Each day a violation is continued constitutes a separate offense.

Your prompt attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aubrie M. Miller', enclosed within a large, hand-drawn oval.

Aubrie M. Miller  
Zoning Officer

Certified Mail: 7019 2280 0000 1648 1997  
Return Receipt Requested



**Melissa Velez**  
**Zoning Supervisor**  
Bureau of Planning & Zoning  
435 W. Hamilton Street 4th Fl  
Allentown, PA 18101-1699  
Office 610-437-7630 ext.2860  
Fax 610-437-8781  
[Melissa.Velez@allentownpa.gov](mailto:Melissa.Velez@allentownpa.gov)

March 22, 2023

Exchange 32, LLC  
1177 N 6<sup>th</sup> St  
Whitehall, PA 18052

RE: 2236-2280 S 12<sup>th</sup> St

Dear Applicant:

As previously discussed with your architect, this is to inform you that your zoning application to maintain the use of a portion of an existing parking lot as a trucking terminal and maintain two temporary banners has been **denied** and requires additional information. Please see below. Any further inquiries can be addressed by calling the Zoning office at 610-437-7630.

1. Tractors, Tractor Trailers, and Tractor Trailer Combinations are not Commercial Vehicles.

660-6 Definitions.

**COMMERCIAL VEHICLE** A motor vehicle that is a Class V vehicle or above and is primarily used for business purposes, including but not limited to making service calls, transporting equipment used in a business, or in accomplishing physical work as part of a business (such as hauling material).

**TRACTOR** A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicles and load so drawn.

**TRACTOR TRAILER** Every vehicle, wagon or truck without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a tractor as defined by this chapter.

2. Proposed use is a Trucking Terminal, not Space for Storage of Commercial Vehicles.

**TRUCKING TERMINAL** An area and/or building where trucks load and unload materials on a regular basis, or where tractor trailers are transferred from one tractor cab to another for the purpose of continuation to another destination, or where trucks or tractors or tractor trailers are stored, parked or waiting for dispatch.

3. Lighting plan for trucking terminal not provided.

660-73J Lighting. All parking areas and related passageways and driveways serving nonresidential uses or 20 or more spaces for residential uses shall be illuminated adequately during the hours of use. Adequate shielding shall be provided to protect adjacent residential districts from glare and vehicle headlights. See Article X.

4. Reduction of existing parking for office building.

660-73F Continuation of existing spaces. Parking spaces maintained in connection with an existing and continuing principal structure or use as of the adoption date of this chapter that are needed to comply with the minimum parking space requirements of this chapter shall not be reduced in number, and shall not be counted as serving a new or expanded structure or use. (1) Required parking spaces shall not be substituted for a required off-street loading and unloading space, or vice versa.

660-73O Reduction of parking requirements. (1) Purposes. To minimize impervious surfaces while ensuring adequate parking, and to recognize unique circumstances that may justify a reduction in required parking. (2) Reduction. The Zoning Hearing Board may permit a reduction, through the special exception process outlined in Article IV, of the number of parking spaces that would otherwise be required if the applicant proves to the satisfaction of the Board that less parking spaces are needed. (a) Proof. To prove that fewer parking spaces are needed, in the written application, the applicant shall provide existing and projected employment, customer, resident or other relevant data. Such data may include a study of parking at similar developments during peak periods of use. (b) Shared parking. Under this section, an applicant may seek to prove that parking permanently shared with another use or another lot with shared internal access or another lot within 400 feet will reduce the total amount of parking needed because the uses have different peak times of parking need or overlapping customers. [1] For example, an applicant may prove that a use with peak parking needs during late evenings or weekends (such as a theater, bowling alley or place of worship) can reasonably share parking with a use with peak parking needs during daytime weekdays (such as a bank or office). [2] Reduced parking requirements for joint parking shall only continue in effect as long as such uses or their closely similar successor uses remain in operation, and shall be guaranteed by a legally binding agreement. If such agreement becomes legally ineffective, then all parking shall be provided as would otherwise be required by this article.

5. Insufficient shade trees (18 required; 10 proposed)

660-77B Planting strip along streets.

- (1) A planting strip shall separate the following features from a public street if any of the following are adjacent to and visible from a public street: (b) Routine overnight parking of three or more tractor trailer trucks or trailers of such combination.
- (2) The planting strip shall include: (a) Shrubs that are primarily evergreen; and (b) An average of one deciduous shade tree for every 40 feet of street frontage.

6. With temporary banners exceeding maximum: number of banners, area, and period of time for display. Having a nonrigid material for background is a banner, not a wall sign. (One 64 sq ft banner for two periods of 15 consecutive days each during any twelve-month period permitted; Two permanent 200 sq ft banners proposed).

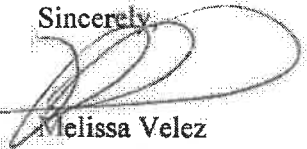
660-65 BANNER A sign having characters, letters or illustrations applied to cloth, paper or fabric of any kind, with only such nonrigid material for background.

660-66F Banners. Banners shall be permitted on nonresidential properties in business or industrial districts provided they comply with the following regulations:

- (1) Banners shall be attached to a building or suspended from some part of a building.
- (2) Banners shall not exceed 64 square feet in area.
- (3) Banners shall comply with the requirements in the above § 660-66E(5).
- (4) Banners shall be kept in good condition and not allowed to become torn, tattered or in disrepair.

660-66E(5) Except for those purposes listed in § 660-66K, each permitted nonresidential property may display one portable sign or banner for two periods of 15 consecutive days each during any twelve-month period.

Sincerely,



Melissa Velez  
Zoning Supervisor

cc: John A VanLuvanee, Esquire  
Gene Berg, Gouck Architects





# Commonwealth of Pennsylvania Police Crash Report

Incident Number: 23-017686

NON-REPORTABLE  
CRASH - FULL  
INVESTIGATION

Crash Involves:  DUI  Fatality  Hit and Run  Commercial Vehicle  State Police Vehicle  Local Police Vehicle  Local Gov Vehicle  
 N/A  Work Zone  ATV  Snowmobile  Commonwealth Vehicle

Police Agency Data	Agency Name <b>ALLENTOWN PD</b>						Case Closed <b>NO</b>	Patrol Zone <b>301</b>	Investigation Date <b>03/19/2023</b>			
	Dispatch Time <b>08:07</b> hrs.		Arrival Time <b>08:09</b> hrs.		Investigator <b>GLAUDE, ANDERSON</b>			Badge Number <b>269</b>				
	Approval Date <b>03/20/2023</b>				Reviewer <b>BERGER, CRAIG G</b>			Reviewer Badge Number <b>71</b>				
Crash Data	Date of Crash <b>03/19/2023</b>		Time of Crash <b>08:03</b> hrs.		Day of the Week <b>SUNDAY</b>		Crash Description <b>HIT FIXED OBJECT</b>			Secondary Crash? <b>NO</b>		
	County <b>LEHIGH</b>				Municipality <b>ALLENTOWN CITY</b>							
	Weather Conditions 1 <b>CLEAR</b>			Weather Conditions 2 <b>CLEAR</b>			Relation to Roadway <b>OUTSIDE TRAFFICWAY</b>					
	Illumination <b>DAYLIGHT</b>				Road Surface Conditions <b>DRY</b>							
	# of Units <b>1</b>	# of People <b>1</b>	# of Injured <b>000</b>	# Killed <b>000</b>	School Bus Related <b>NO</b>		School Zone Related <b>NO</b>		PennDOT Notified <b>NO</b>			
	Type of Intersection <b>MIDBLOCK</b>				Intersection Related? <b>NO</b>		Special Location <b>NOT APPLICABLE</b>					
Work Zone	Work Zone <b>NO</b>		Work Zone Type			Where in Work Zone			Speed Limit	Workers Present	Officer Present	Worker Injured or Killed
	Worker 1 Unit #	Worker 2 Unit #	Worker 3 Unit #	Worker 4 Unit #	Work Zone Characteristics			<input type="checkbox"/> Lane Closure	<input type="checkbox"/> Road Closed with Detour			
	<input type="checkbox"/> Work on Shoulder or Median				<input type="checkbox"/> Intermittent or Moving Work			<input type="checkbox"/> Flagger Control			<input type="checkbox"/> Other	
Intersecting Rd. / Principal Road	Route Signing <b>LOCAL ROAD OR STREET</b>				Route Number <b>0000</b>	Segment Number	Travel Lanes <b>02</b>	Speed Limit <b>20 MPH</b>	Orientation <b>SOUTH</b>			
	House Number <b>2244</b>				Street Name <b>SESQUI</b>			St. Ending <b>STREET</b>				
	Used in Intersection Crashes	Route Signing			Route Number	Segment Number	Travel Lanes	Speed Limit	Orientation			
Distance From Landmark Used for Mid-Block Crashes	Landmark 1	Route Number		Or Mile Post	Tenths	Or Segment Marker		Ramp Use Only	Feet <b>00075</b>			
		Street Name <b>S POPLAR</b>				Street Ending <b>STREET</b>			Or Miles	Tenths		
	Landmark 2	Route Number		Or Mile Post	Tenths	Or Segment Marker		Ramp Use Only	The above entry is the distance from the Crash Scene to Landmark 1			
		Street Name				Street Ending						
GPS	Latitude:		Degrees <b>40</b>	Minutes <b>34</b>	Seconds <b>16</b>	Decimal <b>460</b>	Longitude:		Degrees <b>75</b>	Minutes <b>28</b>	Seconds <b>22</b>	Decimal <b>590</b>
	Traffic Control Device <b>NOT APPLICABLE</b>						Traffic Control Functioning <b>NO CONTROLS</b>					
Lane	Lane Closed <b>NOT APPLICABLE</b>			Lane Closure Direction			Traffic Detoured			Roadway Cleared Hrs		
	<b>Environmental / Roadway Potential Factors (E/R)</b>											
Event Information	Factor 1 <b>NONE</b>			Factor 2			Factor 3					
	First Harmful Event in the Crash						Most Harmful Event in the Crash					
	Unit Number <b>001</b>	Harmful Event <b>HIT TREE</b>				Unit Number <b>001</b>	Harmful Event <b>HIT TREE</b>					
	Indicated Prime Factor <b>DRIVER ACTION</b>			Unit Number <b>001</b>	Prime Factor Driver Action <b>CARELESS PARKING/UNPARKING</b>							
	Prime Factor Environmental/Roadway				Prime Factor Vehicle Failure				Prime Factor Pedestrian Action			
	Road Surface Type						Special Jurisdiction					

Incident Number: 23-017686

Report

NON-REPORTABLE CRASH - FULL INVESTIGATION

Crash Involves:  DUI  Fatality  Hit and Run  Commercial Vehicle  State Police Vehicle  Local Police Vehicle  Local Gov Vehicle  N/A  Work Zone  ATV  Snowmobile  Commonwealth Vehicle

Unit Number 001	Type Unit Motor Vehicle in Transport	Commercial Vehicle Yes	
First Name NORBER	MI	Last Name MONEGRO PIMENTEL	Suffix
Street Address 637 CENTER ST FL 1ST		City BETHLEHEM	Telephone Number (929) 302-1253
Gender MALE	License Number 33057457	License State PA	Class A
Expiration Date 05/06/2026	Owner/Driver PRIVATE VEHICLE OWNED/LEASED BY DRIVER		
Driver Presence NO DRIVER	Physical Condition APPARENTLY NORMAL		
Violation 1			Person Charged
Violation 2			Person Charged
Violation 3			Person Charged
Violation 4			Person Charged
Alcohol/Drugs Suspected NO	Alcohol Interlock NO	Alcohol Test Type TEST NOT GIVEN	Alcohol Test Results
Drug Test Type NONE	Drug Test Results		
Driver Action CARELESS PARKING/UNPARKING			
Pedestrian Action		Distracted By Action	Distracted By Source
Pedestrian Signals		Pedestrian Clothing	Pedestrian Location
1st Harmful Event HIT TREE	Left or Right Side RIGHT SIDE OF ROAD	Most Harmful YES	Utility Pole Number
2nd Harmful Event	Left or Right Side	Most Harmful	Utility Pole Number
3rd Harmful Event	Left or Right Side	Most Harmful	Utility Pole Number
4th Harmful Event	Left or Right Side	Most Harmful	Utility Pole Number

Owner First Name NORBER	Owner MI	Owner Last Name or Business Name MONEGRO PIMENTEL		Suffix
Street Address 637 CENTER ST FL 1ST		City BETHLEHEM	State PA	Zip Code 18018
Telephone Number (929) 302-1253	Vehicle Type LARGE TRUCK		Vehicle Automation UNKNOWN	Special Usage TRACTOR TRAILER
Government Equipment Number	Model Year 2008	Vehicle Make WABASH	Vehicle Model FREIGHTLINER	Vehicle Color BLACK
VIN 1JJV532WX8L004813	License Plate XLC6435	Reg. State PA	Est. Speed 999	Vehicle Towed NO
Towed By	Insurance YES	Insurance Company LITTLE BILL	Telephone Number (631) 385-5980	Policy Number 02474498
Expiration Date 08/07/2023	Direction of Travel EAST	Vehicle Position RIGHT LANE "CURB"	Vehicle Movement GOING STRAIGHT	Initial Impact Point 3 O'CLOCK
Damage Indicator FUNCTIONA	Gradient LEVEL	Road Alignment STRAIGHT	Possible Vehicle Failures UNKNOWN	
Type Unit 1 FULL TRAILER	Tag Number AH15392	Tag Year 2023	Tag State PA	
Unit Make FREIGHTLINER	Unit Owner LITTLE BILL LLC			
Type Unit 2	Tag Number	Tag Year	Tag State	
Unit Make	Unit Owner			
Type Unit 3	Tag Number	Tag Year	Tag State	
Unit Make	Unit Owner			
Engine Size cc	Passenger?	Saddle Bag/Trunk?	Trailer?	Driver Education?
Driver Helmet Type	Helmet Stayed On?	DOT/Snell Designation?	Eye Protection?	Long Sleeves?
Long Pants?	Over Ankle Boots?	Passenger Helmet Type	Helmet Stayed On?	DOT/Snell Designation?
Eye Protection?	Long Sleeves?	Long Pants?	Over Ankle Boots?	Passenger?
Helmet?	Head Lights?	Rear Reflectors?		