



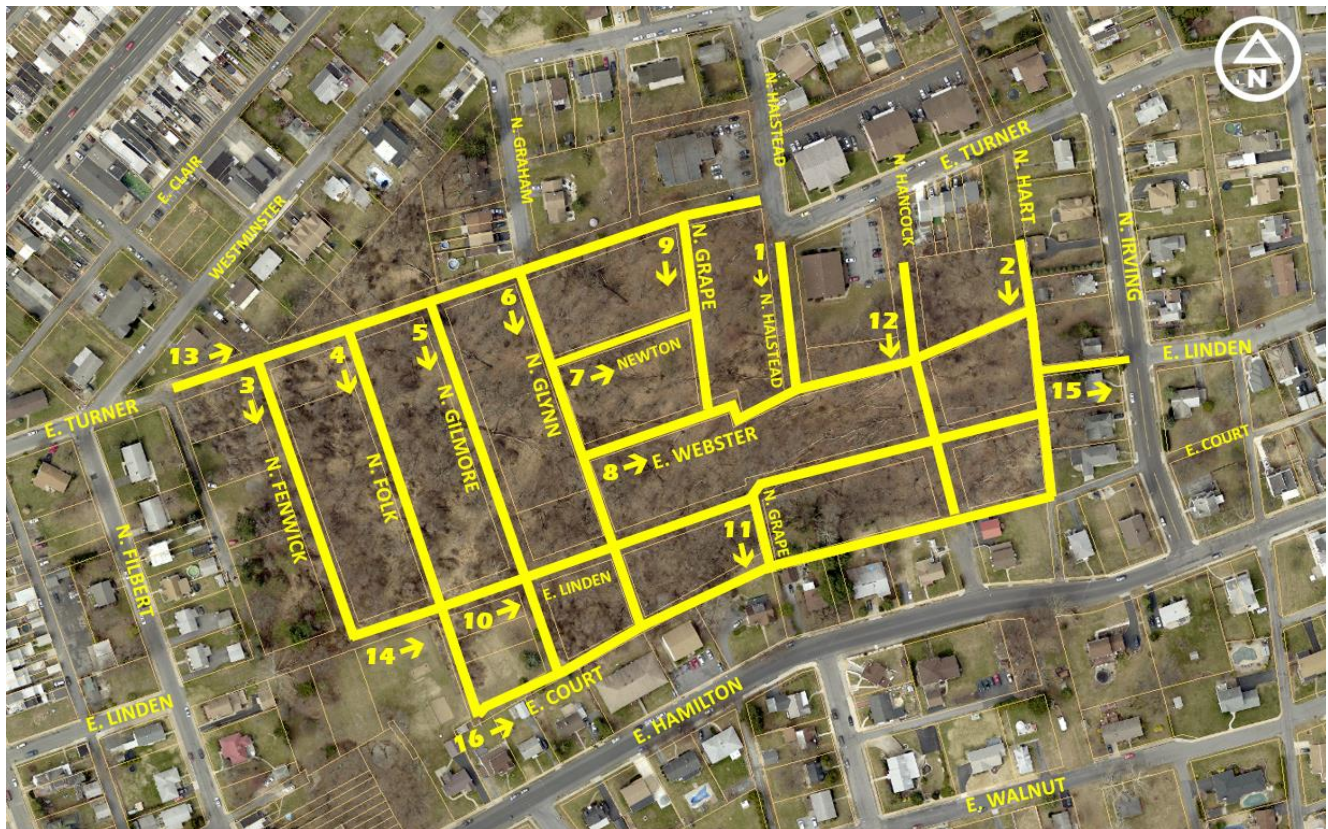
STAFF REPORT (All suggestions /recommendations in this report are advisory)

TO : Allentown City Planning Commission
FROM : Planning Bureau
SUBJECT : Vacation of Various Street Segments in the Area Referred to as Common Ridge Estates
DATE : November 9, 2021

Background

1. This proposed vacation comes from B. Land Co., LLC (represented in this petition by Piperato Law). The subject street segments are located in the east side of the city between E. Turner and E. Hamilton Streets and between N. Irving and N. Filbert Streets (Fig-1).
2. Planning records indicate that these same streets were reviewed in 2009 in conjunction with a proposed subdivision development called Common Ridge Estates in this location.

Figure 1. Aerial photo of the vicinity showing the streets proposed for vacation properties abutting those streets.



3. This current petition to vacate the streets cited a settlement agreement entered into by the City and the property owner in 2010 to redesign the envisioned Common Ridge Estates from a subdivision containing 139 lots to 50 lots. Part of that settlement agreement was that the property owner will pursue the vacation of these streets in preparation for the development of Common Ridge Estates.
4. In Figure 1, the numeric labels (with their respective directional arrows) correspond to the order in which the street segments appear in the petition (Figure 2), except:
 - a. Label 16 – East Court from N. Folk to N. Hart, which was added by the city’s Public Works Dept, since the north half of that street segment abuts the properties of the petitioner (an action to vacate a street covers the whole width of the street); and

Figure 2. Extent of street segments proposed for vacating as gleaned from the petition.

1. North Halstead from East Turner to East Webster	10. East Linden from North Folk to North Hart
2. North Hart from Court Street to midpoint between Turner and Webster	11. North Grape from East Linden to Court Street
3. North Fenwick from East Turner to East Linden	12. North Hancock from Court Street to midpoint between East Webster and East Turner
4. North Folk from East Turner to Court Street	13. East Turner from North Fenwick to North Halstead
5. North Gilmore from East Turner to Court Street	14. North side East Linden from center of North Fenwick to North Folk Street
6. North Glynn from East Turner to Court Street	15. East Linden Street from Hart Street to North Irving Street
7. East Newton from North Glynn to North Grape	
8. East Webster from North Glynn to North Hart	
9. North Grape from East Turner to East Webster	

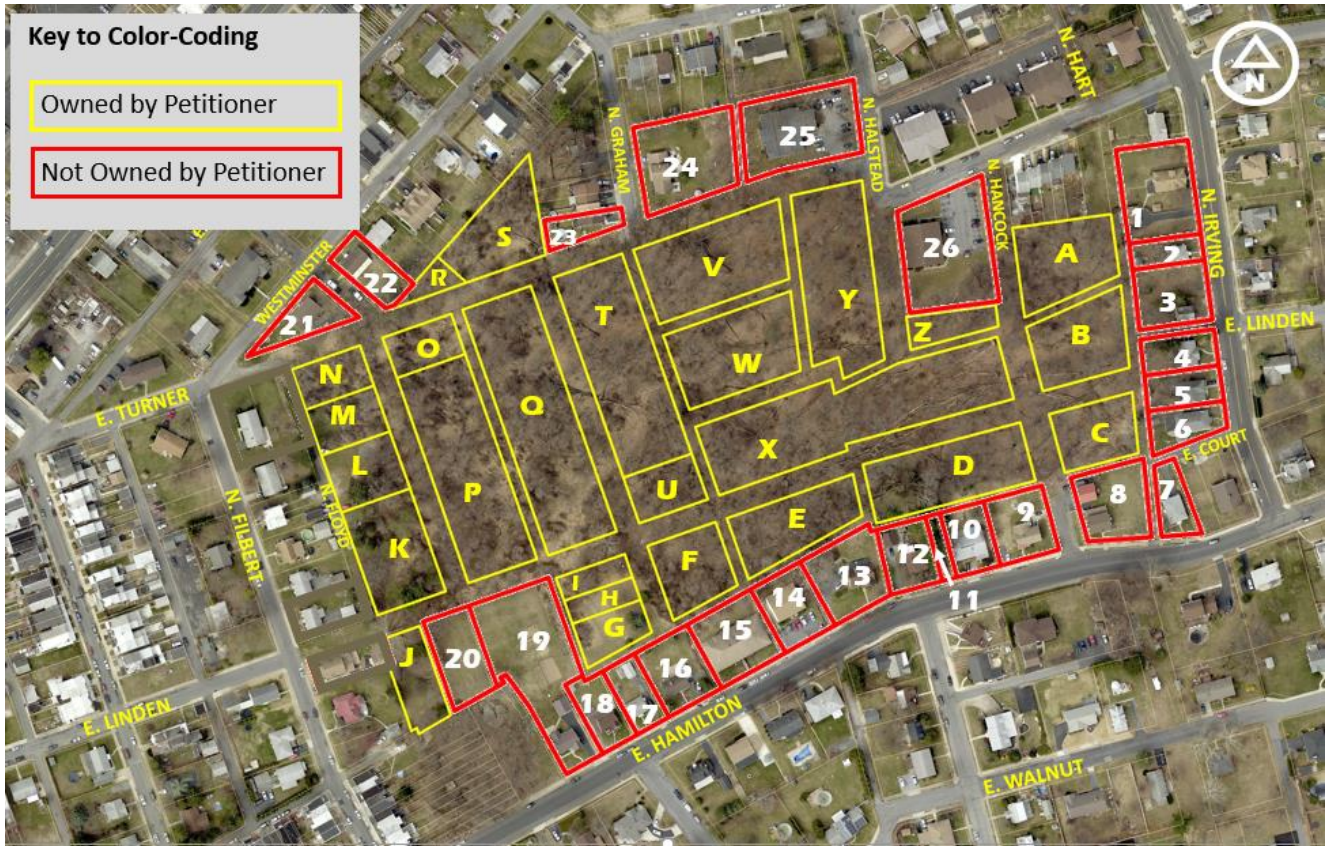
5. Although not part of the application by the petitioner, the street segment labeled 16 – as described in Items 4a above – is being included in this review, for the consideration of the ACPC, with the view to facilitating the vacation process in that area by streamlining unintended loose ends.

Findings

6. The street segments proposed for vacating are unimproved. According to the Public Works staff, these streets were mapped out in early-1900s. Although most of lands in that area began building up since the 1950s these street segments were never developed as roadways and, therefore, were never opened to vehicular traffic. In essence, therefore, these are “paper streets.” Their outlines appear in the city’ parcel map but they are not shown in the city’s official street map. Collectively, their present state is characterized by unplanned growth of trees, vines, and bramble /shrubbery.
7. The vacation – if granted – will free up at least 5 acres of green field. The site is not fully laid out with municipal services. But city GIS maps indicate underground utilities in the peripheries along the improved streets of E Turner, E Hamilton, N Irving and N Filbert, which may be tapped by any future land development in this area.
8. (Refer to Figure 3) There are about 52 properties abutting these street segments:
 - a. Parcels A to Z (= 26 properties) are owned by the petitioner. All are vacant lots that comprise the interior of the site.

- b. Parcels 1 through 26 are not owned by the petitioner. These have different owners. Their names are listed in Table 1, together with their respective positions on the proposed vacation. For the most part, these properties are built up either with single-family housing structures or multi-unit apartment buildings, while two parcels are vacant lots (that is, 11 and 20).

Figure 3. Parcels affected by the proposed streets vacation and ownership.



9. Although most of the areas covered by the proposed closures are inaccessible either by car or by foot, Staff did a cursory field inspection¹ to find out if there might be existing properties that would be negatively impacted by any of the closure. To the best of the staff's knowledge, none of the built-up properties labelled 1 to 29 will be negatively affected in terms of public access.
- Parcel 19 – whose north boundary abuts the vacation segment labeled 14 – does not use this part of the parcel for access. Parcel 19 uses E. Hamilton for access.
 - Parcel 20 is a vacant lot -- whose northeast corner abuts the vacation segment labeled 14 – will not be affected.
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:
- Whether the right-of-way vacation will adversely affect the street pattern or circulation of the immediate area or of the community.
 - Re: Street Pattern –
 - Yes. Based on the image in Fig-3, East Turner and East Linden were meant to be through, east-west streets in this area. Although inaccessible*

¹ On Oct. 25, 2021 (Monday) 1:30pm to 3pm.

now, vacating these segments of E. Turner and E. Linden as proposed will disrupt that planned street pattern, unless the envisioned Common Ridge Estates assumes the originally planned street pattern for these streets.

- *No. Again, based on the image in Fig-3, the paper streets running north-south do not exhibit a consistent, predictable street pattern.*
- ii. *Re: Circulation – Since the subject streets were never opened to public traffic, their closures will have no effect on traffic circulation in the immediate area.*

- b. Whether the public need will be adversely affected.
- i. *No. Considering that the subject street segments were never developed as roadways and never opened to traffic, the public need for it up to this point in time, seems nil.*
- c. Whether the public right-of-way may be needed for future public use.
- i. Planning Staff defers to the PW Staff as to future plans for the subject street segments. The CPC may wish to note, however, that this present state of un-development has been as such since the area was first surveyed in the early 1900s.
- d. Whether any abutting property owner will become landlocked or will have his access substantially impaired.
- i. For the most part, none of the built-up properties not owned by the petitioner will have their access drives to public streets be substantially impaired (refer to Fig-3).
 - *Parcel 19 – which touches the segment labeled 14 – uses E. Hamilton for access.*
 - *Parcel 20 – which is currently a vacant lot – will not be affected.*

11. Meanwhile, Staff Report from the City's Public Works Dept informs of the following:

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

Parcel Label	Property Owner	Response
A to Z	B. Land, LLC -- Applicant	
1	Jamie R. Mendez	Has not responded.
2	Rezkallah Samaan	Has not responded.
3	Barbara M. Moore	Does not object
4	Shayna Leah Mora	Has not responded.
5	Brenda Gross	Objects to the vacation. No need to build on my land and too much traffic noise.
6	Richard & Kolleen Ganser	Objects to the vacation. "Impacts to transportation, utilities, and property value along with air quality and environmental demise.
7	Donald J & Dorothy Hoffman	Not polled. (NOTE: Planning Staff sent a letter of notification informing this property owner of the proposed vacation with a request to respond.)
8	Kevin Daniel Ketchen	Has not responded.
9	Jose A. Ferruffino	Has not responded.
10	Shirley M. Miles	Has not responded.
11	Homeart LLC	Has not responded.
12	Cristobal & Enerida Morales	Has not responded.
13	Sadallah Awad	Has not responded.

14	Farshid Shekari	Objects to the vacation. Negatively effects the neighbors and neighborhood. Creates more traffic and destroys the wooded area and lot.
15	Souha Hadeed & Ryan Hadeed	Has not responded.
16	Angela Del Carmen Gomez	Has not responded.
17	Dale Ann Nicholas	Objects to the street vacation. "Don't need more building around here like our rustic look. Plus, where they gonna park and more traffic on our street.
18	Alycia & Pedro Tosado	Has not responded.
19-20	Robert & Delores Wiesner Living Trust	Objects to the streets vacation as a whole. " I have lived at this address for 58 years and several times someone has tried to develop the wooded area behind our property and failed. I hope they are not successful this time. This property should be left in its natural habitat for the animals that live there. I do not and people walking thru my property at all times of the day or night to get to E Hamilton Street destroying things and picking fruit from my trees. I should not have to bear the burden of erecting a fence around my property to keep it private".
21	Randy & Audra Reighard	Has not responded.
22	Eugene C. Baker	Has not responded.
23	Liston Thomas	Has not responded.
24	Wanda I. Colon	Has not responded.
25-26	Alan D. Troutman	Has not responded.

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

Utility Agency	Response
PPL	Objects , has facilities in the area
UGI	No objection
LCA	No objection
Verizon	Objects , has facilities in the area

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 responded.
A F D	No objection
Traffic Engineer	No objection
Stormwater Engineer	No objection
Communications /EMS	Has not responded.

d. PW Dept. staff has no objection to the subject street vacations on the condition that easements be provided for existing utilities within the impacted Rights of Way.

12. Moreover, LVPC finds the proposed street closures consistent with the Regional Plan in encouraging the reuse of vacant and underutilized properties.

Summary

13. Based on the foregoing findings, Planning Staff is inclined to endorse the proposed vacation of the street segments labelled 1 through 16 (as illustrated in Figure 1) with easements as requested by affected utility agencies.