



Minutes - Final

Community and Economic Development Committee

Wednesday, February 21, 2018

6:30 PM

Call to Order: Chairperson Robinson, Guridy, Affa

15-1995

Bill 87

Amends the Zoning Code, Article 1303 (Definitions), Article 1309.06.H (Purposes of Each District) and Article 1327.NN (Specific Uses) of the Codified Ordinances of the City of Allentown by expanding the student overlay district north of Tilghman to Washington Street and west to Broad Street.

Attachments: [Bill 87 ZONING AMENDMENT- EXPANDS BOUNDARIES OF STUDENT RESIDENCE OVERLAY DISTRICT](#)
[EXPANDS BOUNDARIES OF STUDENT RESIDENCE OVERLAY DISTRICT MAP](#)
[Letter from Douglas Stewart Regarding the Planning Commission's Recommended Approval of Amendment to the Zoning Code - Student Overlay District](#)
[Student Overlay Rezoning Labels - Muhlenberg College](#)
[Letter from Allentown Planning Commission regarding Bill 87 - Student Overlay District](#)
[Letter from Mike Hanlon regarding Bill 87 - Student Residence Overlay District](#)
[Letter from Mike Hanlon regarding Draft Bill on Student Overlay District](#)
[Zoning Ordinance Amendment to Expand the Student Overlay District - Notice](#)

Mr. Courtney Robinson stated that we are going to hear from the administration, the members of Council and then the public. The public will have three opportunities to speak on this tonight. This committee meeting and right after, we will hold a Public Hearing similar to the Liquor License Transfer and then at the Council meeting itself. He asked if there was anybody from the administration that would like to speak on this.

Mr. Doug Stewart, Director of Planning, described the procedure. The city received some concerns from the neighborhood around Muhlenberg College about students living in individual houses and then having parties and the police will come and go to a roving party. In 1998, the original student overlay district was created and it was smaller than what we are proposing now. There seems to be concerns about hearing the concerns about the term Student Overlay District where students are being

encouraged to live off campus. When in fact, what it does is limits the number of students. Instead of four, down to two anywhere in a residential area because the state definition of family being four unrelated individuals they can live within a dwelling unit. What this district does and will do if it is expanded is in the designated area it would limit the number of students to two of any single residential structure. These structures have to be registered both with the city and the collect. They have to get a permit for a year. If they don't re-register every year, they lose their ability to rent to the students and it would have to be open to any other rental, but not to students. There are not many existing residences. There are actually 35 students that live off campus within that area. At one point, we had two public meetings just to get the reaction to the community and about 100 people showed up at the first. Five were landlords and the rest were residents in the area. After we explained what the purpose of what the district is all but those five landlords expressed acceptance of what we were trying to do. We had a second public meeting and sixteen showed up. We went through the process again just to explain. During the first one, actually the neighbors asked us to look into expanding it yet even further. We went through a study and realized that there would be five more residences that would be in the expanded area that would be included so we did not go beyond the northern or western boundary. All of the 16 people there for the second meeting with an informal hand raised and did a polling of them, they all supported. Nobody was opposed to it.

Mr. Courtney Robinson thanked Mr. Stewart and opened it up to Ms. Affa and Mr. Guridy and then other members of Council.

Mr. Julio Guridy stated that he did not have any questions.

Ms. Candida Affa stated that she did not have any questions.

Mr. Roger MacLean asked Mr. Stewart if the new housing areas will be limited to two instead of four.

Mr. Doug Stewart stated yes. That is exactly right.

Mr. Courtney stated that he knows that it had to go before both the Allentown and Lehigh Valley Planning Commission. Did they both give us feedback on this or return it with positives.

Mr. Doug Stewart stated that Lehigh Valley Planning Commission sent a letter to us stating that it was a local issue and that they had no opinion. The Allentown Planning Commission was in favor.

Mr. Courtney Robinson asked Mr. Stewart if he said that there are 35

students in the district that are affected. He asked if any of those units grandfathered where they could have four even though the district limit is set to two. If they don't apply each year, they can lose their status. Are there other issues where they can lose their status based off of any residential complaints from neighbors, police activity or any issues to that effect.

Mr. Doug Stewart stated yes. He stated that in the expanded area, no. Not contained in this ordinance. The college helps to police that.

Mr. Courtney Robinson asked any comments from the public on Bill 87.

Mr. Robert Trotner, 1920 Whitehall Street, stated that he is not here to advocate position. The limited information is what he recalls from the newspaper articles that were in The Morning Call at the time they had the meetings. He asked if his recollection is correct. The two meetings were conducted before or during the election campaign period. Mayor Pawlowski know there were complaints from the area so he had two meetings. He conducted a town hall and what he recalls is that the meetings did not include the Muhlenberg area geographically. It only included people from the Overlay Districts. That seems a little strange to me. He stated that Pawlowski was packing the deck.

Mr. Courtney Robinson stated that Mr. Hendricks and former Council President O'Connell, and Ms. Affa was at the first meeting which was held at the Church of the Redeemer on Turner Street. With that crowd about 100 there actually were quite a lot of people who did not live in the current district or potential proposed district because the newspaper article as Mr. Stewart said made people concerned that we looking at expanding letting students live anywhere in the west end with no concerns. At least at the first meeting there were quite a number of people that spoke. A representative of Muhlenberg College spoke at the meeting as well.

Mr. Robert Trotner stated that he doesn't think there were many people from the Muhlenberg College area. The immediate Muhlenberg College area at all.

Mr. Courtney Robinson stated that there were some people that currently reside in the existing district. Former Council Burke was at that meeting. He lives the existing district. He asked if there were any other comments from the public.

Mr. Chris Metzger, 2727 W. Greenleaf Street, about the two people. Does that mean there are two people allowed there at all times or can those two have 22 people come over.

Mr. Doug Stewart stated that if two people live there and they chose to have a social gathering, nothing in the Ordinance will stop that.

Mr. Chris Metzger stated trust me I went to college and knows two people that live next to Muhlenberg and they had college students in homes next to them and it was the worst experience of their life. His concern is that not if there are two people there, but if there are 22 people there and it is every day and until 2:00 AM that is where my concern comes in. He stated 22 is a lot different than 22.

Mr. Courtney Robinson stated absolutely and I thank you for that. He stated that is a situation which whenever there is an issue like that always please reach out to Allentown Police Department (APD) and report that situation because any type of partying like that there is always a chance that there is an issue. The college is trying to clamp down on that too. The only way know if there is stuff is if it is reported. He asked if his colleagues had any comments that they would like to make.

Mr. Julio Guridy stated that he and Ms. Affa both went to one of the meetings in the west end and people were concerned about it, but there wasn't any major issues that came up which will change this ordinance from what was presented.

Ms. Candida Affa stated that the reason for this ordinance is so you can contain it to two people. If you don't do this then you will have four, then eight or as many. This way it can be policed in some point and that there are only two residents there. That is the point of this. It would try to alleviate five, six or seven people in one place.

Mr. Courtney Robinson stated that it is a reasonable look at this and it has been 20 years since we instituted the Overlay District. He stated that Mr. Stewart's department did a good job in reaching out, holding the public meetings, taking the process to both Planning Commissions as well. He thanked Mr. Stewart.

A motion was made by Julio Guridy, seconded by Candida Affa, that this Ordinance be recommended for approval. The motion carried by the following vote:

Yes: 3 - Courtney Robinson, Julio Guridy and Candida Affa

Enactment No: 15424

Adjourned: 6:42 PM