



ALLENTOWN CITY PLANNING COMMISSION  
435 HAMILTON STREET  
ALLENTOWN, PA 18101-1699  
(610) 437-7611

## **ALLENTOWN CITY PLANNING COMMISSION**

**PUBLIC MEETING      APRIL 10, 2018**

### **MINUTES**

#### **MEMBERS PRESENT:**

Oldrich Foucek, III, Esquire, Chairman  
Mark Buchvalt, Vice-Chairman  
Christian Brown  
Jeff Glazier

#### **CITY STAFF PRESENT:**

R. Douglas Stewart, Planning Director  
David Kimmerly, Chief Planner  
Fred Andrayko, Zoning Supervisor  
Craig Messinger, Interim Director of Public Works  
Mark Geosits, P.E. Senior Civil Engineer/Assistant City Engineer  
Richard Rasch, Utility Engineer  
Nelson Varughese, Traffic Controls Superintendent  
Hannah Clark, Senior Planner  
Jesse Sadiua, Senior Planner  
Kelly McElroy, Redevelopment Authority  
Jeanne Marsteller, Recording Secretary

#### **OTHERS PRESENT:**

See attached sign in sheet

#### **MINUTES:**

The minutes of March 13, 2018 were approved as written.

### STREET VACATIONS:

#### **Wye Street from South 4<sup>th</sup> Street to vacated South Jordan Street, 18-2 (v) requested by Kenneth A. Simons, Smart Living Barber St. LLC. (Rescheduled from February 13, 2018 meeting)**

Atty. Mark Kaplin represented the applicant. Atty. Kaplin explained the City has no claim to Wye Street and theoretically was abandoned and each adjoining property owner received their share. However, to make this official, letters were sent to the two property owners that abut Wye Street explaining the developer is willing to relinquish their half of Wye Street that lies adjacent to their properties. Neither party responded. Atty. Foucek pointed out there was concern about an existing entranceway to the property that uses a majority of Wye Street. Atty. Kaplin concurred and said what has to happen is the developer currently owns the property and will include it in their property and do another subdivision line and quick claim it to the neighbors. This action will be moralized on the final plan before they are recorded. Atty. Foucek said that sounds like an appropriate procedure.

Mr. Stewart pointed out PPL will need easements to their utilities. Atty. Kaplin said if it were on their property, easement would be granted. Atty. Foucek stated easements go with the land.

Mr. Glazier made a motion to GRANT conditional approval to vacate the westerly portion of Wye Street to ultimately title in the name of the two property owners following the quick claim interest of the applicant and subject to the continuation of PPL easements as they exist today. Second by Christian Brown. Motion passed unanimously.

### LAND DEVELOPMENTS:

#### **Carlisle Apartments, 501-515 N. Carlisle Street, LMA-2017-00008 preliminary plan approval requested by Carlisle Real Estate, LLC. (Tabled at January 9, 2018 meeting) The application proposes to construct a two story, eight-unit apartment building.**

Donald Lynch, Phil Campano and Sam Campano were present.

Mr. Lynch questioned some of the staff comments in reference to the steep slope and the existing contours on the site that does not match the city's survey plan. Mr. Lynch explained the previous property owner removed trees and earthwork on the site and additional surveys will be to make sure they match. Mr. Stewart said the concern of the planning office is the calculation for determining the steep slopes. Mr. Lynch said ok and staff will receive more information.

Mr. Lynch continued by questioning the stormwater requirements, believes this is below the threshold of doing onsite retention on the property and referenced the impervious calculations on the plan. Mr. Geosits clarified they are below the threshold for Act 167 requirements but detention is still required because there is no drain system there and can't let all the impervious water flush into the street.

Mr. Lynch explained N. Carlisle Street is not centered within the right of way and would like to show the roadway centered with the allocation for curb and sidewalks on both sides for any future developments with a jog at the end of the property. Mr. Geosits understood and stated right now the right-of-way is against the homes on the opposite side of the street. Mr. Lynch stated the rest of the comments are doable.

Atty. Foucek addressed the general density of the project; the number of units. Mr. Lynch said to have this financially make sense for the developer the number of units cannot be reduced. Instead there is a reduction in extra parking, minimize pervious and retaining walls, moved garbage dumpster to eliminate a need for a retaining wall on east side of property. Mr. Stewart explained this is a difficult site to develop and not sure how it will comply with the steep slope issue, where some slopes exceed 35%. Zoning is what allows this to be eight units. The measures the applicant has to take to fit these eight units with parking placed on the upper and below the site with extensive amount of retaining walls is not a desirable site plan.

Christian Brown pointed out by right the applicant can develop 10.5 units and in regards to density, they are under the maximum allowable despite physical limitations.

Atty. Foucek said this is at the preliminary stage and asked the applicants to make the adjustments and keep the staff advised on the slope contours and return to a future meeting.

**Executive Education Academy Charter School FDN, 555 Union Boulevard, LMA-2018-00003, preliminary/final approval requested by Executive Education Academy Charter School FDN. (Tabled at March 13, 2018 meeting) The application proposes the addition of 16,060 square foot, 1,600-seat gymnasium building at the former Agere Systems, Inc. facility at the above address.**

RESCHEDULED TO MAY 8, 2018 MEETING

**Proposed Industrial Development – 120 W. Union Street, LMA-2018-00005, preliminary/final plan approval requested by 120-160 Union Street LLC. The application proposes to develop the existing 5.37 acres to be a 16,000 sq. ft. industrial use facility consisting of a 3,000 sq. ft. office, a 3,000 sq., ft. storage facility and a 10,000 sq. ft. shop.**

Atty. Mike Clement, Jason Korzak, P.E. and Brian Hensel of Bohler Engineering represented the applicants.

Mr. Korzak explained the project and stated this property has an existing railroad traversing through the center. Atty. Foucek asked if it was active. Mr. Korzak said it is not active. Atty. Foucek asked if it is permanently inactive or what is the status. Atty. Clement explained they attempted to determine if it was permanently inactive, but has not been abandoned as a result of which they want to keep their rights. Atty. Foucek asked if that is the short line that goes to Catasauqua. Atty. Clement said yes it is and Norfolk still has rights in it but have transferred the line.

Mr. Korzak continued by stating this railroad has split the property in half and the building will be occurring on the larger portion of the property. Twenty-five parking spaces with sufficient circulation for trucks, a gravel area for overflow parking with approximately forty-three parking spaces with a total parking to sixty-eight spaces. Using the site will be Great Western Services, a utility contractor that does work with UGI. Atty. Clement said trucks and heavy equipment would be located here and taken to job sites as needed. Atty. Foucek clarified except for the office workers most of the employees are drivers.

Mr. Korzak said they would comply with the comments except questioned the requirements for the sidewalk and curbing along road frontages. Sidewalks are proposed along Union Street, but not along 2<sup>nd</sup> Street, as the road is not open and in rough shape and see no reason for sidewalk. Mr. Geosits stated a postponement was granted in November 2014 for five years or until a development plan is submitted whichever comes first. Mr. Korzak said the curbing along Union Street ends near the railroad track crossing and is not in good shape. If the curbing would need to be modified it would change the grades and drainage patterns on the property and would like to keep what is there. Mr. Geosits added they are only looking for curbing where no curbing exists and not replacing what is already there.

Mr. Buchvalt asked if they met with the Engineering Dept. in regards to these comments. Mr. Korzak said no, they have not. Mr. Buchvalt suggested they meet with the Engineering Dept. and come to some kind of agreement with some of these comments.

Mr. Korzak asked about the stormwater requirements on the site and all parking areas must be macadam. Discussion continued with the Commission and City Staff in regards to the gravel part being pervious or impervious and water retention. Mr. Geosits stated the parking area would be considered pervious and must comply with the City's Act 167 Stormwater Management ordinance for runoff rate and quality.

Mr. Korzak continued by asking about traffic comment about limiting the driveway usage with no left turn from 7-9 am and 3-6 pm and stated this use will not generate a lot of traffic. Atty. Foucek said around 5:00 the traffic is bumper to bumper and this is not a good situation. Christian Brown asked if it was possible to use 2<sup>nd</sup> Street for the driveway. Mr. Korzak said that would require the transfer of 2nd Street to the applicant and not sure, if that would work as 2<sup>nd</sup> Street is very narrow. Discussion continued on the traffic flow of Union Street and the possible driveway location. Atty. Mike Clement said they would sit down and figure out how to make this work.

Jeff Barber of 209 W. Union Street is in support of the project but questioned which buildings will be demolished. Mr. Korzak answered all existing buildings will be demolished. Mr. Barber said the property being in the flood zone and asked if there are plans in the works to widen Union Street and any consideration for a stop light at 2<sup>nd</sup> & Union Streets. Mr. Geosits said not at this time, no money and there is not enough side street traffic for PennDot to warrant a stop light.

Eric Olson, President of Olson Technologies, located across Union Street wanted to clarify that sidewalks are not going to be required on the east side of Union Street between 2<sup>nd</sup> Street and the railroad. Atty. Foucek answered yes sidewalks will be required. Mr. Olson said he has issues with that, as even though they don't own the property across the street, it is used to back trucks into their building. The owners in the past have allowed them to use that property and if sidewalks were installed it would prevent them from doing that. Atty. Foucek said you could be prevented from doing that even without sidewalks, not saying the new owners would say it, but could say it.

Mr. Olson clarified he would like to talk to the new owners to ask if they would allow them to do this, probably two or three times a year. Mr. Geosits said they could put in a depressed curbing, a lower sidewalk and where the trucks drive over be designed as a crossover. Atty. Foucek suggested he discuss this with the applicant and their engineer.

Mr. Glazier made a motion to TABLE this matter to a future meeting. Mr. Buchvalt seconded. Motion passed.

***Atty. Foucek recused himself. Mr. Buchvalt assumed the chair.***

#### **HAMILTON STREET OVERLAY DISTRICT REVIEW:**

**Tower Six OP LP, 602 Hamilton Street, design review of a 106.25 sq. ft., interior illumination channel letter sign, on west side requested by Fast Signs at the above address.**

Mr. Kevin Wenck of Fast Signs represented the applicant. Mr. Buchvalt asked if they agree that the sign will consist of individual letters and that each will be internally illuminated. Mr. Wenck answered yes and clarified the "C" box is an internally illuminated cabinet and the word "Captrust" is all internally illuminated. Christian Brown asked if the raceway is illuminated. Mr. Wenck answered no, but is painted to match the façade.

Mr. Glazier made a MOTION to accept the staff report that found the sign to be consistent with the Hamilton Street Design Guidelines and approved the sign as submitted. Seconded by Christian Brown. Motion passed. Atty. Foucek abstained.

***Atty. Foucek assumed the chair.***

**Americus Investors LP, 541-547 Hamilton Street, design review of four (4) awning signs (1.66 ft x 9.33 ft. each) and one (1) blade sign (2.58 ft. x 3.08 ft.), non-illuminated, (Walgreen's) at front and west side, requested by Makayla Ngoun at the above address.**

Albert Abdouche and Dan McAuley of Bergmann Associates were present. Mr. McAuley explained he is the architect for Walgreen's Community pharmacy. The intent is to replace four existing awnings in kind with a Walgreen's branded awning to match the others as well as provide a non-illuminated a blade sign on the corner of the building. Christian Brown asked if there is any illumination on the awnings. Mr. McAuley said no, only what is on the building.

Christian Brown made a MOTION to accept the signs as submitted. Second by Mr. Glazier. Motion passed unanimously.

**Americus Investors LP, 541-547 Hamilton Street, design review to enlarge existing doorway entrance at southwest corner, requested by Scott P. Wrasman of Bergmann Architects Engineers Planners.**

Albert Abdouche and Dan McCauley of Bergmann Associates were present. Mr. McCauley explained the intent is to renovate the first floor bar into a community pharmacy with no retail component. The current angle entrance does not meet the building code and the ADA. The intent is to make it larger and handicapped assessable.

Mr. Buchvalt made a MOTION to approve the design as submitted. Mr. Glazier seconded. Motion passed.

**Jorge Perez, 913 Hamilton Street, design review to erect a flat wall sign (15.86' x 2') above the storefront entrance requested by Paola Paula at the above address.**

Lewys Martinez represented the applicant. Atty. Foucek stated the staff report suggests the sign be similar to the signs on the two buildings on either side. Christian Brown asked if the sign was installed already. Mr. Martinez answered yes. Mr. Andrayko stated no permits were pulled to install the sign. Mr. Martinez stated he spoke to someone on the fourth floor about seven months ago, explained what kind of material they were going to use, was told it was good and now finds out he misunderstood. Mr. Andrayko said he completed the permit, paid the fee and got the OK for the store, but the application stated the sign permit will come at a later date, but he never came back.

Atty. Foucek summarized it is not consistent with the Hamilton District Overlay or the signs on the adjoining properties. Christian Brown thinks it can be salvageable with a new panel within the frame and would be cheaper to change the sign rather than go for a variance. Atty. Foucek questioned the box style of the sign. Mr. Martinez said the box/frame was pre-existing.

Mr. Andrayko clarified the size is a permitted size; it is just the look of the sign that is not permitted. Mr. Stewart said if it were not consistent with the Hamilton Street Overlay ordinance, it would be appropriate for the Planning Commission to not recommend the sign. Atty. Foucek suggested the applicant work with staff and to design a sign that meets the design guidelines.

Christian Brown made a motion to **DENY** the sign as submitted. Mr. Glazier seconded the motion. Motion passed unanimously.

#### **NEW BUSINESS:**

##### **Informational discussion regarding the Comprehensive Plan – Update**

Mr. Stewart stated the RFP will be sent shortly to five well-known planning firms as well as the general public. The internal selection committee is being put together and Mr. Buchvalt agreed to be a member of that committee. The Comprehensive Plan is targeted to start in June, but it takes a while for the selection committee to actually review all the proposals. I will be informing the Planning Commission each month where the process is at. Atty. Foucek asked that when the agenda is released if the topic is identified. Mr. Stewart answered yes it will be identified and will provide background.

#### **OLD BUSINESS:**

##### **ASD Elementary School, 1227 Gordon Street project update (approved with conditions by Planning Commission at March 13, 2018 meeting)**

Mr. Stewart explained the construction of the school has come in several million dollars over budget and are cutting back on some of the elements. They are adamant that the vertical elements and lighting are going to remain as the Planning Commission has recommended. Being removed is the digital signage and the red architectural feature at the front entrance, both of which are not planning issues.

There being no further business, the meeting adjourned at 1:45 pm.

Respectfully submitted,

  
Jeanne Marsteller, Recording Secretary

A video recording of this meeting is available at:

[http://allentownpa.granicus.com/MediaPlayer.php?view\\_id=1&clip\\_id=463](http://allentownpa.granicus.com/MediaPlayer.php?view_id=1&clip_id=463)