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October 14, 2019

The Honorable Roger MacLean
President, City Council
City of Allentown
435 Hamilton Street
Allentown, PA 18101

Re: Amend the Zoning Code by rezoning the following tracts of land known as 1940 W. Fairview Street and 303 S. Saint Elmo Street from P (Parks) to R-M (Medium Density Residential District)

Dear Mr. MacLean:

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on Tuesday, October 8, 2019, the Commission reviewed the above-referenced amendment to the City's Zoning Map requested by St. Elmo Development, LLC. The Commission voted to RECOMMEND APPROVAL of rezoning the two parcels from P to R-MP to City Council.

If you have any questions concerning this action, please contact me.

Yours very truly,

Irene Woodward
Director of Planning

Enclosures

Xc: Mayor Ray O'Connell
Joseph McMahon, Managing Director
Michael Hanlon, City Clerk
Leonard Lightner, Director of Community & Economic Development



Allentown Zoning Map Change Request


Farland Development Co.

September 2019


" Exhibit A "

— 2' Contours

— Creeks

 Parcels Proposed for Rezoning
to the New R-MP(A)
Residential District

For information purposes only:

 100 Year Floodway

 Floodfringe

 Park Land

SOURCE OF BASE INFORMATION:

Lehigh County and PASDA.

0 100 200 400
Feet



Community Planning Consultants

Urban Research & Development Corporation

81 Highland Ave, Suite 120 Bethlehem, Pa. 18018 610-865-0701

"Exhibit B"

9/5/2019 - Draft Allentown Zoning Amendment.

Ordinance No. ____

AN AMENDMENT TO THE CITY OF ALLENTOWN ZONING
ORDINANCE TO ESTABLISH A NEW R-MP(A) ZONING DISTRICT AND
TO REVISE THE ZONING MAP TO APPLY THE R-MP(A)
DISTRICT TO LAND EAST OF S. ST. ELMO
STREET AND GENERALLY SOUTH OF W. FAIRVIEW STREET.

Under the authority and procedures of the Pennsylvania Municipalities Planning Code, as amended, the City Council of the City of Allentown, Lehigh County, Pennsylvania hereby approves and enacts the following amendment to the City of Allentown Zoning Ordinance:

Part One. A new R-MP(A) residential zoning district is hereby created. The Official Zoning Map shall be revised so that the R-MP(A) district shall apply to parcels east of S. St. Elmo Street and generally south of W. Fairview Street, as identified on the attached map, which is labeled "Exhibit A."

The following new district is added to Section 1309.02: "R-MP(A) Residential Medium Density - Planned (A) District."

The following is added as a new Section 1309.06.Y.:

"R-MP(A) Residential Medium Density - Planned (A) District - In addition to serving the purposes of the R-MP district, this district is intended to provide an option to serve the needs of older persons in residential developments that meet the requirements for "Housing for Older Persons," as defined in Federal law. These provisions recognize that, compared to housing that is not age-restricted, the average household of persons aged 55 and older does not create burdens upon the public school system, creates little demand for athletic fields, generates less traffic per housing unit, generates lower water and sewage flows, and needs fewer parking spaces. These trends are particularly pronounced as the residents of the development age in place."

Part Two. The following new Section 1315.02.2 is added;

"1315.02.2. Requirements of the R-MP(A) District.

- A. Uses other than an Age-Qualified Residential Development. For uses in the R-MP(A) district that do not meet the requirements of this section for an Age-Qualified Residential Development, all of the same requirements shall apply within the R-MP(A) district that apply in the R-MP district. This includes, but is not limited to, the same allowed uses and same dimensional requirements being applied within the R-MP(A) zoned areas as apply within the R-MP district. However, the following two standards of the R-MP district shall differ within the R-MP(A) district:

1. The minimum width of a townhouse may be 18 feet wide, provided there is no vehicle parking or vehicle driveway located within a 12 feet minimum depth from the front of the townhouse dwelling.
2. Multi-family dwellings shall not be allowed in the R-MP(A) district unless the dwellings are part of an Age-Restricted Residential Development.
3. The maximum average density for townhouses shall be 8 dwelling units per acre.

B. Age-Qualified Residential Development. The following requirements shall apply to an Age-Qualified Residential Development in the R-MP(A) District:

1. For the purposes of this district, Age-Qualified Residential Development shall mean a primarily residential development which meets the requirements to be considered "Housing for Older Persons" in the United States Fair Housing Act, as amended by the Housing for Older Persons Act of 1995, and which also meets the requirements of this Zoning Ordinance for the use.
2. The following uses shall be permitted by right within an Age-Qualified Residential Development: single family detached dwellings, single family semi-detached dwellings, townhouses, multi-family dwellings, non-commercial recreation areas for residents and their invited guests, and a Community Center. A portion of the Community Center may be used for a marketing or management office for the development. In addition, accessory uses shall be allowed in the same manner they are allowed in the R-MP district.
 - a. Multi-family dwellings shall only be allowed in the R-MP(A) district if they are part of an Age-Qualified Residential Development and if all multi-family dwelling buildings are setback a minimum of 250 feet from the boundary of any R-M or R-L residential district.
3. Wherever a provision of these Age-Qualified Residential Development provisions conflicts with another provision of the Zoning Ordinance, the provisions of this section shall predominate.
4. If a condominium method of ownership is used, or a similar form of ownership with commonly maintained yard areas under the Pennsylvania Planned Communities Act, individual fee simple subdivided lots are not required to be created for individual dwelling units. Instead, the applicant shall show that the dwelling units are spaced so that the Dimensional Requirements of this Section could be met as if individual fee simple lots would be created.
5. Maximum Density - 11.5 dwellings per acre, based upon the Total Lot Area of the Total Tract at the time of the application, but not including existing rights-of-way of pre-existing streets. When a subdivision is proposed, the subdivision plan shall designate the number of allowed dwelling units that are being allocated to each lot.
6. Minimum total tract for an Age Qualified Residential Development: 5 acres.
7. A minimum of 12 percent of the total tract area shall be set aside in common open space, in compliance with the open space requirements of the R-MP district.
8. Dimensional Requirements.

- a. A 50 feet minimum building and vehicle parking setback shall apply from the rights-of-way of pre-existing public streets and from the lot lines of any pre-existing dwellings. A 20 feet minimum building and parking setback shall apply from all other perimeter lot lines.
- b. A minimum 20 feet separation shall apply between the adjacent sides of principal buildings, and a minimum 30 feet separation shall apply between the rears or side to rear of principal buildings.
- c. A 12 feet minimum setback shall apply from the front of a principal building to a parking court, and from any front parking spaces if a front garage is not provided, and such setback area shall be maintained in landscaped yard areas.
- d. A minimum 25 feet setback shall apply from the right-of-way of an internal through-street. If the street is a private street, then the setback shall be measured from the edge of the travel lane.
- e. Each dwelling unit may include a lot area equal in size to the building footprint and space as appropriate for a deck and/or porches.
- f. Dwelling Width - 18 feet, except 24 feet if garage door(s) for 2 or more vehicles enter the front of the dwelling.
- g. Maximum Building Height. 3 stories or 40 feet, whichever is more restrictive.
- h. Maximum Building Coverage: 50 percent for the Total Tract Area.
- i. Maximum Impervious Coverage: 70 percent for the Total Tract Area.
- j. Parking - A minimum of two off-street spaces shall be required for every dwelling unit.
- k. Perimeter planting areas. A minimum 30 foot wide planting area shall be provided along any perimeter of the Age-Qualified Residential Development abutting the lot line of a pre-existing principal dwelling.
 - (1) This planting area shall be outside of any required future/ ultimate street right-of-way, but may overlap a required setback and may include a recreation trail.
 - (2) No buildings or vehicle parking shall be permitted in the planting area.
 - (3) The planting area shall include a minimum average of one tree for every 10 feet of planting area length, except where such planting is infeasible considering rock or utility restrictions.
 - (4) Trees are not required to be evenly spaced apart, in order to allow for a naturalistic arrangement.
 - (5) New trees are not required to be planted where existing healthy trees will be preserved.
 - (6) The size, species and spacing of the required trees shall be shown on a Landscaping Plan.

Part Three. Repealer. All ordinances or parts thereof inconsistent with the provisions of this Ordinance Amendment are hereby repealed to the extent of the inconsistency.

Part Four. Severability. The provisions of this Ordinance Amendment are declared to be severable. If any provision of this Ordinance Amendment is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no

effect on the remaining provisions of this Ordinance Amendment or other sections of the Zoning Ordinance.

Effective Date. This Ordinance shall be effective immediately following its legal enactment.

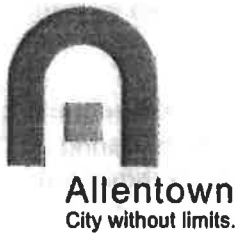
This Ordinance is hereby ENACTED and ORDAINED this _____ date of _____, 20__.

ATTEST:

CITY COUNCIL OF THE CITY OF ALLENTOWN

City Clerk

President



Hannah Clark
Senior Planner
Bureau of Planning & Zoning
435 Hamilton Street
Allentown, PA 18101-1699
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Hannah.Clark@allentownpa.gov

STAFF REPORT TO THE ALLENTOWN CITY PLANNING COMMISSION

October 9, 2019

SUBJECT: Request to amend the Zoning Code by rezoning two contiguous properties located at 303-319 St. Elmo St. (Parcel ID: 549645774014) and 1940 Fairview St. (Parcel ID: 549646507548) from P Parks to a new zoning district R-MP(A) Residential Medium Density – Planned (A) Zoning District and to revise the Zoning map to apply the R-MP(A) District to those parcels.

(Note: The actual limits of the proposed map change and new zoning district are shown on the attached map, labeled 'Exhibit A'.)

BACKGROUND: Allentown City Council received a request from Mr. Abraham Atiyeh and Mr. Stephen Rohrbach of St. Elmo Development, LLC to amend the Zoning Code by rezoning two parcels of land: Parcel ID 549645774014 and Parcel ID 549646507548 from P Parks District to a new R-MP(A) Zoning District and to revise the Zoning map to apply the R-MP(A) District to those parcels.

The applicant has submitted a Draft Allentown Zoning Amendment to establish a new R-MP(A) Zoning District and to revise the Zoning Map to apply the R-MP(A) District to land east of S. St. Elmo Street and generally south of W. Fairview Street for consideration by the Allentown City Planning Commission. (Please see attached Draft Allentown Zoning Amendment 'Exhibit B'.)

Previously, St. Elmo Development, LLC appeared before the Allentown City Planning Commission on July 9, 2019 with a request to rezone the aforementioned parcels from P Parks District to R-M Medium Density Residential District. The Commission agreed, with the applicant's consent, to table the rezoning request to a future meeting citing more discussion was needed on the future development of the parcels and concerns over the issues addressed by the neighbors.

EXISTING LAND USE AND ZONING:

The land use around the property requested to be a new R-MP(A) Zoning District is mostly residential with open space and park land. Immediately adjacent to the parcel, to the east, are residences in the R-M zoning district.

FINDINGS:

Staff is in agreement that the current zoning designation of P Park is not appropriate for the parcels as they do not have the characteristics of park land, and due to environmental

contamination from previous uses, it is unlikely the parcels would be able to be used as park land in their current state.

Staff understands the applicants' proposal of a new R-MP(A) Zoning District and the request to rezone the parcels works to address some of the concerns in regards to density, buffering, and traffic expressed by neighbors and the ACPC during the July 9, 2019 Planning Commission Meeting.

Staff is in agreement that a change in zoning to allow for residential development of a similar character to the surrounding area would be a viable use for the parcels. However, staff believes that further study of a new R-MP(A) Zoning District is needed prior to moving forward. With the upcoming comprehensive Zoning Code update there will be an opportunity to evaluate the applicability of the recommendations in the R-MP(A) Zoning District, and to evaluate the application of the new Zoning District in a citywide context.

An alternative option for rezoning the parcels is the application of the R-MP Zoning District Designation. The future project could then pursue designation as a Pocket Neighborhood Development adhering to the requirements under 1315.02.2 Pocket Neighborhood Development Requirements of the Zoning Code. The R-MP Zoning District designation and Pocket Neighborhood Development Requirements would be applicable to these parcels given their acreage, and would provide a pathway forward to a planned residential development for these parcels.

RECOMMENDATION:

Staff does not recommend the approval of the new R-MP(A) Zoning District and rezoning of the parcels to the R-MP(A) Zoning designation. Staff recommends the rezoning of the parcels to R-MP with the application of the 1315.02.2 Pocket Neighborhood Development Requirements to the development of the parcels.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Hannah Clark', with a stylized flourish at the end.

Hannah Clark
Senior Planner