

OLD BUSINESS:

REZONING

Amends the Zoning code by rezoning 201-221 N. Front Street, 115-143 N. Front Street, 51-97 N. Front Street and 113 N. Front Street from B5- Urban Commercial to B/LI-Business/Light Industrial and to revise the Zoning map to apply the B/LI District to those parcels as requested by Charles Street Capital, LLC.

Atty. Foucek states he will recuse himself and Mr. Button will take over.

Richard Button states this is a zoning for the Front street properties and asks who is here.

Andrew Shantz states he is there with Charles Street Capital who is the applicant here requesting rezoning of 4 parcels, 201-221 N. Front Street, 115-143 N. Front St., 51-97 N. Front Street and 113 N. Front St. they are currently zoned B5 building commercial they are requesting they be rezoned to LI light industrial, my client is the applicant pursuing the agreement of sale that they have with property owners ACIDA, parcel D 113 N Front St is currently owned by PPL and they took the position that they are not impacted by any zoning or rezoning so there neither in favor of this or in opposition of this but they certainly welcome us to include their parcel in this, as you will see through the zoning petition request we see this as a transition type rezoning from the current B5 and through the I2 zone and my client will be able to answer any questions and make presentation as to how he envisions this parcel to be developed but we see this as a good transition zoning, and that's where we were presented up through December and then there was some concern whether or not the request rezoning would generate a lot of heavy industrial type truck use and we've met with staff and I think we have alleviated those concerns but we are here to answer any additional questions and allow my client to provide an update to where his discussions have led

Charles Street Capital LLC states we have also refined concepts since our December meeting so we are now only targeting 2 end users so if we have a 50,000 sq. ft flex facility we would be looking for 2 users each occupied 25,000 sq. ft each and each user would have 1 high loading dock, and since we are only planning for 2 high loading docks that would reduce any potential for heavy traffic, and as you recall these parcels closest to the America on wheels museum we have had a couple meetings with the America on wheels people and there is some traction around the idea for a club auto you are starting to see these automotive clubs crop out throughout the and these are clubs for car owners who have a luxury vehicle you could store your car there but also have some amenities and then the NB center which is Mr. Bulgari's center and he has expressed a willingness to provide his close circuit track which would work in conjunction with a club auto and a lot of the people Mr. Bulgari, America on wheels, the Ruozzi brothers were all trying to do something automotive related on the parcel closest to the American on wheels so hopefully that will continue to percolate and gain traction but we would like to actively like to move forward with the 50,000 flex industrial space we believe that the BLI zoning will enable that commercially.

Richard Button states has the city staff changed their recommendation.

Irene Woodward states we did have a couple meetings and part of what we learned from city staff is primarily there was additional need for industrial uses that was conveyed to us as to what the goal of the rezoning so that would also include packaging bottling assembly ceramic, clay and pottery products fabricated metal products furniture and wood products glass products paper cardboard and etc. that information was conveyed in terms of manufacturing type uses of allowed them within the BLI was the reason for that I don't think city staff would want to see outdoor storage of some of those but I think the

goal of what we heard was the addition of manufacturing type uses what the reason for that change.

Richard Button asks so the city staff is now in support of the zoning change.

Irene Woodward states we would be in support of those types of manufacturing uses at the site.

Richard Button asks Mr. Unger do you have comments about the subsurface that you would like to make.

Scott Unger states no we are confident that the property is developable.

Jeff Glazier asks could the developer give us an idea of what are the egress for where the parcel will be.

Charles Street Capital LLC states they are building the new Riverside drive and this site has a lot of rights of way and easement agreements and we have been working on cleaning up the site with PPL they have been very amenable but that is a complicated question.

Jeff Glazier states no one knows exactly when Riverside drive will become a reality.

Charles Street Capital LLC states I understand that they are contractually obligated to start Riverside drive this year and then you have Wharf street which kind of bisects the property between what I think of as the America on Wheels side and then the flex industrial side and exactly where that curb cut would be for the parking lot, that's kind of dependent on we could enter through Warf street but then maybe we want to have a curb cut on the new Riverside drive but I haven't really seen any real plans related to Riverside drive.

Tony Toth states I did not catch this the last time but this time around I noted that the parcel that is owned by PPL is within the zoning request for change and I know you hinted and talked about that do you have correspondence from them indicating that they don't have a favorable or unfavorable opinion because you have standing to request that on their behalf I understand its PPL.

Andrew Schantz states the only correspondence I would direct your attention to would be the October 29th covering letter with our petition which includes Mallory Sweeney who is counsel to PPL and she was provided with this as I stated they are not taking a petition on this they are not objecting nor are they in favor of it they are Pennsylvania Public Utility and they are not impacted by the rezoning, we are going to have further discussions with PPL regarding easements, possibly some land swaps in and around that Wharf St. access.

Tony Toth states right because that is another thing I noticed specifically with that parcel it seems that access might be.

Charles Street Capital LLC states we have some conversation about Wharf street with our civil engineering team and I think the city has implied they would like for that to become a private road so that then we are responsible for maintenance and snow removal of that road, and then all the other conversations are trying to clean up that site because Ppl does need to be able to access their substation so there will have to be some kind of access road next to that substation, there is a Fricks boat club is also where it dead ends right there and I don't expect that to be impacted.

Tony Toth states I did take a look at the reason for the rezoning request I don't know who wrote that but when you look at this basically you have America on wheels and then you have Bucky Boyle park and

we are looking at what's to be put in between what's going to work, what's going to be viable and subjectively what is the best possible use, best possible use for you may be something different than the best possible use of the citizenry of the city, did you take the time to look at the documentation that was provided by a consultant of the city way back when we did the Lehigh River waterfront master plan did you take the time to look at that and see the recommendations and see how that fits within your context.

Andrew Schantz states I think your missing one big thing between American on Wheels and Bucky Boyle park and that's the PPL substation and we have your partnership in development with ACIDA has had this land for many years and is also the land owner in supporting this application.

Charles Street Capital LLC states I did review that when I reviewed it a lot of it felt dated to me based on all the development downtown and retail and restaurant related to the waterfront, when I think of that area and the broader section trying to redevelop it making it commercially viable and the fact that you do have the Ppl substation but then you have America on wheels there as well, so when I look at the BLI district I think its 2 sides, for the parcel closest to America on wheels you will have all the auto use groups so if you look at the RB collection they actually required a variance to have their business there they were an owner operator they were looking for a specific thing and had the time to go through the variance process, as a developer I am just trying to pass the net and find someone I can't go through that variance process, I want to be able to key it up as much as I can, and say all these auto use groups are enabled we have the support of the America on wheels you guys can do a club auto and on the other side with the industrial flex space use groups like your packaging, self-storage, warehousing, manufacturing, if you're looking for a fabricator, I like the example of a tile fabricator in this kind of space you'll be able to have a front office with admin personnel, have office for staff, but on the back end you can have setup for fabrication, inventory distribution and being able to provide that flex space encompasses a lot of different use groups and since we are not going to own and operate these businesses we want to be able to cast that wide net.

Tony Toth states I understand that the worst thing that can happen when you hire a consultant and tax payer pays money to hire a consultant and put plan together plan goes up on shelf and we never look at it again, and specifically in this plan in the Lehigh river master plan they talk about this zone its referred to as Front street new Warf and I will quote from the document the executive summary it says this area focuses on the lands between he America on wheels museum and the Bucky Boyle park baseball field to the North this area is envisioned to be a vibrant mix used retail restaurant and entertainment quarter with mix use office space where residential apartments above surrounding South side public/private parking structure for the walking/biking district, and that's strikingly different than what your proposing.

Capital Street LLC states I own and operate a restaurant downtown, I don't know who would operate a restaurant on the waterfront it's a very challenging business it's not enough foot traffic, that just doesn't seem commercially viable to me, when that plan was drafted everything was possible but now with the PPL center, with all the retail development the restaurants downtown I don't know if there is the air and the oxygen to do that kind of development down there anymore.

Tony Toth states do you think the inertia would change after the development to the North starts to take shape.

Charles Street Capital LLC states I don't know I drove down there and I like the site work they have done and I like the street lamps, I can only tell you in the past 5yrs that owning and operating a restaurant has been the hardest thing I have done, and I have no intention of doing another one.

Scott Unger states I would like to add a few things having been here when the original waterfront master

plan was done I can tell you at that point in time that posture that I believe the consultant was operating under was that somehow PPL's equipment was going somewhere else and the fact of the matter is that is unlikely, it shrunk a little bit and we are fortunate for that and we have some other development opportunities on the South end of that, but to think that you're going to put high end residential or high end office space in close proximity to that equipment I think is unlikely to be successful, we have representatives from the other users that are all pioneers of development on the South end of the waterfront, the notion the change of the zoning to do any kind of automobile use and again a club auto might have a restaurant component but it's part of a larger context so there could be some other tours or related things that are symbiotic with America on Wheels and RB collection, so I think we can do some things that are cohesive with the waterfront master plan on that parcel but in order to do anything automobile related the B5 doesn't permit those so the B-LI zoning change opens that collaboration to all the people that are here with the Southern portion to discuss and then what it does to Irene's point is that on the Northern piece you could do a warehouse now of 50,000 sq. ft but changing it to B-LI opens it up to much more manufacturing related and that is beneficial to the city of Allentown because it creates opportunities for private sector job creation at higher wages in close proximity to some neighborhoods that could use walkable accessible manufacturing jobs, and the manufacturing facilities would probably be one of the few uses that could tolerate immediate adjacency to PPL's facility.

Damien Brown states personally I am sold on the proposed uses down there, what has me uncomfortable is the blanket zoning change, the zoning change as opposed a land development plan requesting a variance, so I understand the situation we are in so the property is currently owned by your organization Scott correct.

Scott Unger states yes as is America on Wheels and as was ACR development.

Damien Brown asks at what point will the transfer of ownership occur is it immediately after zoning change is after land development plans are submitted and approved I am just asking because we really lose all control once the zoning change is made.

Andrew Schantz states to alleviate some of your concerns you are correct once you make that zoning change all those uses flow with that change, so you are not making a zoning change with a specific use in mind but I think it has been emphasized to city staff and also for the planning commission is that currently the owner of the property is a partner with the city, they have an agreement of sale with a developer that there is a level of trust with and within that agreement of sale there are certain limitations with respect to that, further this property is envisioned to make application for the NIZ and I think some of the uses would not be cohesive with the NIZ and would not flow with the NIZ process that is kind of your level of trust that this is going to occur the way this is envisioned and that we are testifying to.

Charles Street Capital LLC states that AEDC will continue to maintain an involvement in the development project under which it partners and undertakes even beyond the agreement of sale so I think we have a reasonably good track record already at the South end of the waterfront among other locations in the city and its not essentially a blank check because you've got AEDC's word and its commitment to the city as an extra level of commitment and concern.

Chris Brown states I think that's a huge factor that we all need to consider I just want to go on record and state that I took part in the one meeting with staff and the various partners down adjacent to this subject parcel and the level of public private partnership and enthusiasm behind this project can't be understated and I think the comments Mr. Unger just made speaks volumes to what AEDC and ACIDA has done in the past couple decades now I don't think they would bring something before us with their name on it that they wouldn't feel positive about as well, I think it's a bit of a different animal then ordinary zoning change, Tony to your point the waterfront master plan was one of my favorite master

plans that I have ever seen created in my professional career as a landscape architect and land planner but I think that has been out of the window since day one on the North end of the water front because I would be curious to see what the citation is out of that master plan out of there and what we are allowing to take place up there, these things are dynamic they change over time and I think Mr. Brown is correct that the downtown is taking a turn much greater than was predicted at the time of the waterfront master plan was developed so I think it's time to reinvent the way we move forward

Keith Flickinger states he represents American on Wheels president of America on wheels also in charge and executive of the NB center of where the old Blvd. drive in used to be I work hand in hand with Mr. Bulgari not only do I have a couple things to say about the waterfront, the waterfront had a great idea in the beginning but as you know the arena was going to be down there and now America on Wheels is this island, nobody around us nothing happening and frankly it's really hard to keep the doors open, Mr. Bulgari stepped to try and assist to call the mortgage in and this is a gentleman from Italy whose heart in soul is in the City of Allentown, I was born and raised in Cetronia my dad worked at Mack trucks and I run everything he has, I have had many meetings with Charles Street Capital LLC and AEDC and I really feel that this is a good future for this waterfront. Mr. Mark Jaendl is on our board of directors at America on Wheels and he is very much behind this, and what city council approved and envisioned is clearly not what it was, and with PPL down there we look at it we are hearing the buzzing of the transformers and we just don't see it happening, we also thought when we did this with AEDC I truly want it to work for them, I can speak for Mr. Bulgari we have his full support to work with Charles Street Capital LLC to build something that helps with America on Wheels survival.

RB Collection states that RB Collection and America on Wheels we are now going to have the visitors at American on Wheels can now see the restoration place, first in the world to have visitors to see automotive museum and going to see restoration, and we support anything to make the automobile corner even stronger.

Tony Toth states Mr. Ruozzi was born and raised in Trexlertown so I am familiar with your other site how is their proposing going to help your particular business.

RB Collection states the proposal of the automotive auto club where the cars could be stored is kind of a service among car collectors, classic and exotic cars, those cars they need maintenance, those cars attract people that would like to see them or in the restoration center or in the place that is proposed or if the owner agrees also part of the exhibition in the America on Wheels, so when you have classic car and you need a place to store it, if you have a trifecta a place that can, service, store it and expose to public that is the best possible scenario for any classic car owner.

Tony Toth states I understand plans may change and things may change one thing we only have one Lehigh River waterfront and we have been planning the waterfront for many years and we owe it to the citizenry of Allentown to put forth our best shot on the only waterfront we have and I don't know if the proposal put forth necessarily does that, there is positives but the staff report that was put together by city staff planning department is compelling in a lot of areas and I tend to agree with a lot they say, this one is very well written and has some very good compelling reasons and I think I am more inclined to side with them on this.

Richard Button states it's my understanding that the result of the meetings that city staff now recommends it.

Irene Woodward states we did have additional meetings after that report was completed and got additional information from the developer of what their plans where in terms of what types of uses they were really looking at I think when they first submitted it was hard for city staff to understand the types of

uses that were being proposed and why and our concern was having an example of leaving it open that it be a warehouse then we had further conversations of narrowing it down the types of uses they were really looking forward and how they were going to move forward with that development and I think we view those of being compatible with what is going on .

Tony Toth asks if that is the case and they have the uses nailed down why go through the rezoning instead of the variance approach.

Charles Street Capital LLC states because we are not looking to be the owner operator, so we need to create the structure for the what we believe is the highest and best use and then we can bring in the owners and operators.

Scott Unger states typically a variance requires a certain amount of specificity and the lack specificity makes a zoning change much more significant and I will add to Irene's comments that one of AEDC's primary roles is to be the bridge between the public sector and the private sector, and prior to the previous meeting I will admit that I didn't perform that role as well as I should have and some of the lack of understanding was on my shoulders, I will go back to the level of commitment of AEDC I think when that waterfront master plan was created I don't think anyone thought we would have a use across from America on Wheels that is as compatible with that as an automobile restoration center, I am telling you these are the kind of projects we have delivered that are cohesive, so I am asking for a little bit of a leap of faith on the part of the planning commission to say we are going to make this zoning change with the understanding AEDC remains committed with all of its partners to develop something that is cohesive with what is already there with America on Wheels and RB Collection and to the extent we can maximize the waterfront we don't have the easiest to maximize because we have such a large retaining wall.

Andrew Schantz states as the attorney for the applicant to go through the variance process this would be a use variance and the standards that need to be met are very strict and very difficult to meet, we would have to show that that land could not be used for any other purpose and going through the hurdles to get this in the state he wanted this to be that is not advisable to do.

Damien Brown states with the understanding AEDC will continue to be developed and we are relying on the goodwill of their reputation, I make a motion to approve the zoning change as requested, Jeff Glazier seconded, and the board unanimously approved

NEW BUSINESS:

STAFF REPORT:

ADJOURN:

There being no further business, the meeting adjourned.

Respectfully submitted,

Recording Secretary _____

A video recording of this meeting is available at:

http://allentownpa.granicus.com/MediaPlayer.php?view_id=1&clip_id=814