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February 26, 2021

Mr. Michael P. Hanlon  
Allentown City Clerk  
435 Hamilton Street  
Allentown, PA 18101

**RE: Zoning Ordinance and Map Amendment – B-5 Zoning District  
City of Allentown  
Lehigh County**

Dear Mr. Hanlon:

The Lehigh Valley Planning Commission (LVPC) considered the subject proposal at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). Both meetings were virtual and occurred on:

- LVPC Comprehensive Planning Committee Meeting
  - February 23, 2021 at 12:00 PM
- LVPC Full Commission Meeting
  - February 25, 2021 at 7:00 PM

The subject application, submitted by the City of Allentown on behalf of a developer, proposes changes to the City zoning ordinance and zoning map. Although submitted together, amendments to the zoning ordinance and zoning map must also be considered independently, as each individual component poses impacts to the City and region regardless of the combined intent. Comments provided in this letter have been separated by zoning ordinance and zoning map implications, with consideration for the overall intent of the proposal.

The proposed zoning map amendment has the potential to facilitate redevelopment and revitalization in an area of the City with high rates of industrial vacancy and low access to opportunity (LVPC 2020 Equity Analysis). However, elements of the zoning ordinance amendment and map, as presented, pose adverse impacts to the adjacent equity community and considerations for City-wide impacts to the changes posed are yet to be determined. The LVPC, as Lehigh County's and the region's planning commission, urges the City to consider larger-scale implications of this proposal, and provides the following comments to improve consistency of the zoning ordinance and map amendments with both the municipal comprehensive plan and *FutureLV: The Regional Plan*:

#### **Zoning Ordinance Amendment**

The proposed amendment to the City's zoning ordinance adds a definition for 'Urban Transition Multi-Family Development' as an integrated development, consisting of at least 20 dwelling units, within the B-5 Central Business Zoning District and allows this as a permitted use within the B-5 and B-2 Central Business Zoning Districts. The proposal also

increases the allowable height of Urban Transition Multi-Family Developments to 80 feet, where otherwise the maximum height is 50 feet in the B-5 Zoning District.

While this development type may be suitable for portions of the waterfront area included in the zoning map amendment, the scale and intensity proposed by the text amendment for the entirety of the B-5 Zoning District may not be appropriate on a broader scale. Allowing this use by-right may have adverse impacts on these areas. In order for the City to ensure the application of this development intensity is appropriately matched with community character and aligns with the goals outlined in the *Allentown Vision 2030 Plan*, the LVPC recommends revising the proposal to provide for the use as a special exception or conditional use, especially as it relates to the proposed allowable heights. This would better enable City consideration of large-scale proposals on a case-by-case basis to safeguard the general health, safety and welfare of the public, and 'promote context-specific design solutions' (of Policy 5.4).

Similarly, the proposal to allow a maximum height of 80 feet for 'Hotels and Motels' in the B-5 Zoning District may result in the development of building heights far greater than existing buildings and significantly alter community character. All areas affected by the proposal must be considered prior to adopting amendments that may pose inadvertent impacts in the community.

Additionally, special exception and conditional uses allow for issues of equity to be addressed, especially in the waterfront area, which has the lowest access to opportunity in the Lehigh Valley. Affordable and attainable housing provisions and potential externalities caused by higher intensity uses, like 8-story buildings (including light, shadows, traffic, trash, increased parks and open space needs, etc.) can be considered by the Allentown Planning Commission before any development proposal is approved. Without such oversight development could easily compound existing social, economic and racial disparities. Special exceptions and conditional uses are the City's legal tool for ensuring balance and achieving the goals outlined in the legally-adopted and required *Allentown Vision 2030 Plan*. Again, the Pennsylvania Municipalities Planning Code requires municipal governments to follow their adopted comprehensive plans when amending ordinances or maps and approving developments. Special exception and conditional uses, in this context, will go a long way to ensuring equity, parks and recreation, transportation and attainable housing goals are met, as outlined in the municipal comprehensive plan, and even *FutureLV: The Regional Plan*.

The LVPC notes the intent to allow Urban Transition Multi-Family Developments as a permitted use in the Central Business (B-2) Zoning District. While this use is better aligned with the scale and intensity of uses allowed in this zoning district, the proposed definition of Urban Transition Multi-Family Developments as being 'located in the B-5 District' limits its applicability. The LVPC recommends removing the reference to a specific zoning district from the proposed definition in order to enable the use in other areas of the City that are appropriate.

### **Zoning Map Amendment**

The subject application proposes to rezone a series of parcels to the B-5 Urban Commercial Zoning District. The parcels in this area are currently zoned as Limited Industrial (I-2), General Industrial (I-3), Medium-High Density Residential (R-MH) and Park (P), and are within the Traditional Neighborhood Development Overlay (TND) Zoning District.

The properties proposed to be rezoned from the Limited Industrial, General Industrial and Park zoning districts, which are located east of Front Street and along the Lehigh River, are contiguous with the existing B-5 Zoning District immediately to the south. Among the properties to be rezoned is the Neuweiler Brewery, a historic landmark on the National Register of Historic Places. The LVPC supports the City of Allentown's goals to protect and preserve historic buildings and streetscapes by promoting adaptive reuse of historic buildings (of Policy 5.4). The developer should work with the City to ensure that façade design and architecture is consistent with the surrounding historic buildings in the area, utilizing 'context-specific design solutions' (of Policy 5.4).

The LVPC discourages rezoning the two additional clusters of parcels, located west of Front Street, that are currently zoned as Medium-High Density Residential, as these properties do not appear to be owned by the developer, and the application of the B-5 Zoning District is better suited along the riverfront area to avoid encroaching on the residential character of the adjacent neighborhoods. Also, in a neighborhood with great housing need and a significant number of households that are cost-burdened, preserving housing opportunity and a buffer between uses is critical.

Overall, the LVPC encourages 'reuse and redevelopment within urban areas' (of Policy 1.1), which may be afforded through the proposed zoning ordinance amendment and zoning map change at the subject properties without causing unintentional impacts to other areas. The LVPC advocates for the City to continue reimagining this key location in the Region to transition between neighborhoods and land uses in an equitable and resilient manner.

Municipalities, when considering ordinance and map amendments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article I§105, Article III§303, §304 & §306(a), Article VI§603(j)]. As such, we encourage the developer to further refine this zoning ordinance and map proposal in partnership with the City's professional and qualified Department of Community and Economic Development, to ensure that the interests of the public health, safety and welfare are balanced with private sector profit motives.

If you have any questions regarding the content of this letter, please do not hesitate to call.

Sincerely,



Samantha Smith  
Chief Community Planner

cc: Irene Woodward, City of Allentown Director of Planning & Zoning