

STAFF REPORT

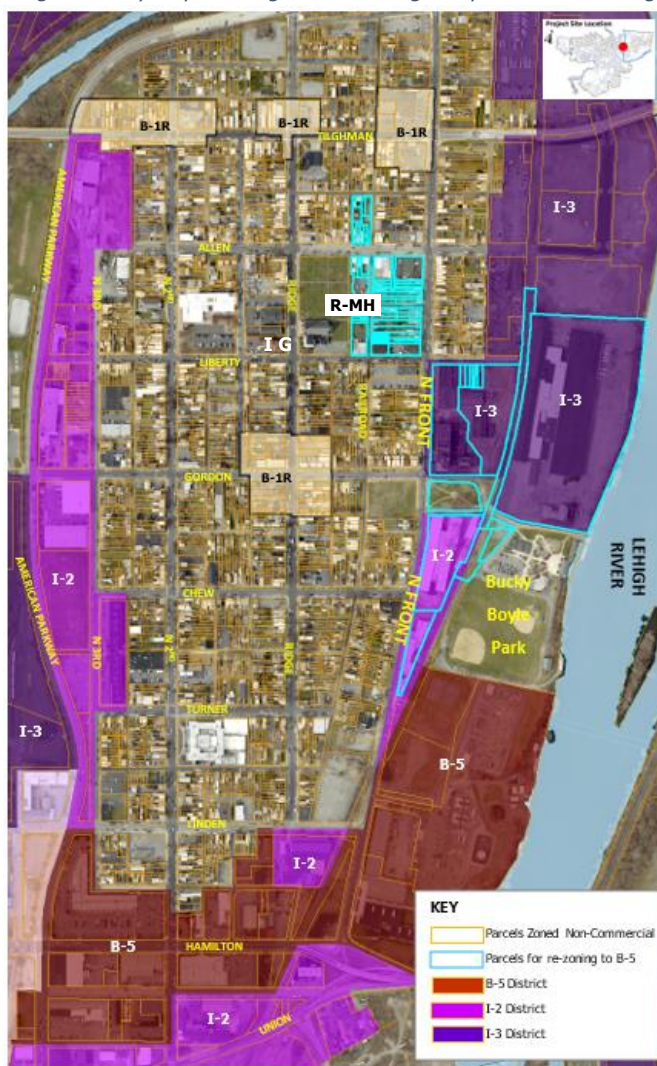
TO : ACPC
FROM : Planning Bureau
RE : RE-ZONING ON FRONT STREET (Z Case #20-1)
DATE : February 22, 2021

Frame of Reference -- This current staff report has been issued for the purpose of the ACPC's desire to hold a workshop – expressed by its members in its meeting of Feb 9 2021 – with the view to better understand the impacts of the subject re-zoning being proposed by Manhattan Building Co. This report reiterates and updates the initial staff report to ACPC on the subject dated Feb 9 2021, which is attached for reference.

Background (please refer to the application for full details)

- 1) Manhattan Building Co. is proposing for changes in the zoning map and zoning text that features, among others, the following:
 - a) Changing the base zoning of certain parcels from Residential-Medium/High (R-MH), Industrial 2 (I2) and Industrial 3 (I3) to Business 5 (B5).
 - b) Creating a new housing-type called Urban Transition Multi-Family Development to be available in B5 Districts and the B2 District (aka the Central Business District) and suggesting a definition therefor as well as regulations for its use including a minimum lot area of 24,000 ft².
 - c) Allowing Adaptive Reuse in B-5 Districts by special exception.
 - d) Increasing height limits in B5s to accommodate this new housing type and hotels /motels.
 - e) Providing parking standards for the new housing-type.
- 2) Subject parcels for re-zoning are located, generally, along North Front Street between the streets of Allen and Turner (refer to Figure 1, parcels outlined in blue).
 - a) Subject parcels east of Front Street are currently zoned for industrial uses, i. e., I2 and I3.
 - b) Subject parcels west of Front Street are currently zoned R-MH.

Fig-1. Vicinity map showing current zoning and parcels for rezoning.



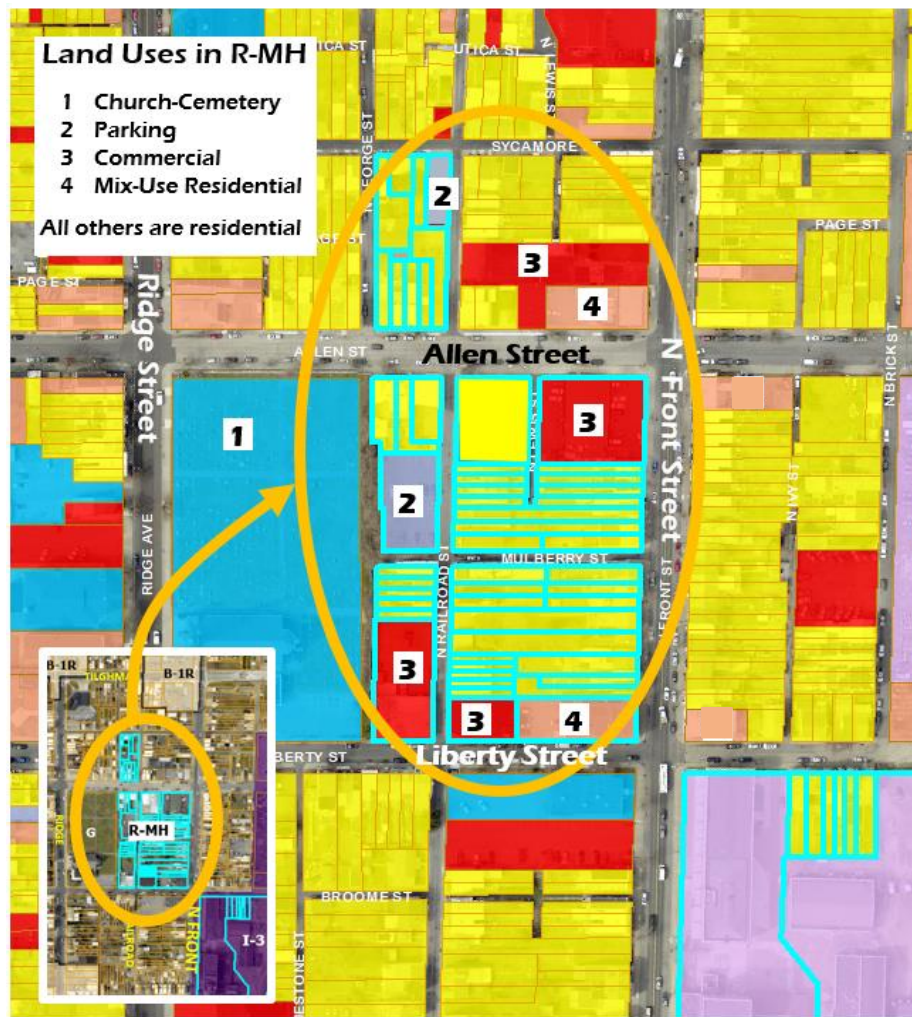
Staff Position

- 3) Please recall that Staff was amenable to re-zoning the subject parcels east of Front Street -- currently zoned I2 and I3 -- to B5.
- 4) As well, Staff was amenable to have Adaptive Reuse – as currently enforced – available in B5.

5) On the other hand, for the parcels west of Front Street which are currently zoned R-MH – and proposed to be re-zoned to B5 (refer to Figure 2) – Staff did not favor such re-zoning based on the finding that the current and emerging land uses in these parcels and in those abutting properties in the vicinity are predominantly residential:

- a) Reviewed by parcel, of the 51 total parcels in those 5 city blocks, only six (6) parcels or 12% of that total number are deemed compatible to B5 uses. These parcels are labeled 2, 3 and 4 in Fig-2. In other words, 88% of the parcels are used for residential purposes, mostly of the single-family type.
- b) Reviewed by acreage, those same parcels labeled 2, 3 and 4 (in

Figure 2. Land use map showing current land uses in the parcels for rezoning to B-5 and adjacent parcels.



- c) Based on the foregoing findings, Staff is of the view that it is deemed not proper to down-zone a cluster of parcels from a predominantly residential use to a less-protected land use (which, in this case is a commercial district just a zoning class above light industrial).
- d) That said – and with due regard to basic land use principles and good zoning practice - Staff deems it improper to designate – in a predominantly residential area – a commercial district that promotes intensive land uses whose operational characteristics will have inimical impacts to the established residential uses in the area.
 - (The attached Figure 3 is an alternative view of the land use map shown Fig-2. It presents an aerial picture of the same area showing the structures but without the color-coding.)
 - (As well, just for reference purposes, the subject parcels west of Front Street is outside the planning area of the Riverfront Master Plan.)

6) Likewise, Staff was not keen on endorsing the new housing-type (and all the proposed features related thereto like standards for parking, siting, height , etc.) -- which the applicant proposes to be available in B-5 districts -- for the following reasons:

- a) The current B5 districts in Allentown have established residential uses abutting them. The attached Figure 4 shows where the current B5s are. We have 2 of them: one in the west between N. 16th and 19th Streets just north of the Allentown Fairgrounds. The other B5 is in the east where this proposed re-zoning is proposed to occur. The attached Figure 5 is a closer look at the west end's B5 area. The image also shows the parcels with an area of at least 24,000 ft² where the proposed new multi-unit housing types may be constructed. In both east and west B5 areas, there are established residential uses abutting them. These established residential uses must be protected.

- The general vicinity of the proposed re-zoning (that is, not just the parcels proposed for re-zoning) have residential structures of distinct architectural character, form and bulk that typifies the neighborhoods as late 18th and early 19th century. They are predominately ground-oriented row houses, of the single-family type with heights of two to three stories.
 - The attached Figures 6a to 6d contain images of street frontages of the properties immediately bordering the subject parcels west of Front Street. These are the properties that will be directly affected by B-5 activities, if the subject parcels were re-zoned.
- b) Staff reminds that once a feature is conferred to a zoning district (in this case, the proposed Urban Transition Multi-Family Development and the regulations /standards related thereto) such features will be applied to all B5s without exception.
- c) And -- as you know -- Allentown's current ZO already allows multi-family dwelling developments in our B5s and in the B2 district -- and they seem to work well with other developers as they are. As such, we do not see the need for the housing-type being proposed.
- If the applicant finds the ZO regulations on MFDs too restrictive to make their project feasible, they can be selective in seeking the desired zoning variances with the zoning hearing board.
- d) In recognition of Allentown's narrow streets (not just in the project area but citywide in general) it seems to make good planning sense to locate these envisioned buildings on lots with generous front and side yards or near the waterfront.
- The buildings of the new housing-type will be tall; could be overwhelming in bulk and height; they may intrude into the enjoyment of natural light (shadowing), views and breeze.
 - Table 1 (pages 4 and 5) compares the existing zoning standards with those being suggested to go with the proposed B5 zoning class. In our initial staff advisory (dated Feb 9 2021, attached), we mentioned that the proposed housing-type seem a denser, more compact version of what Allentown's ZO currently allows for new developments of 5 or more dwelling units. We also mentioned that it sounds like an attractive housing option considering Allentown's desire to grow its population in the face of very few open lands to develop to accommodate that growth. Definitely, the city needs more new multi-family dwelling units. Nonetheless, we advise caution against fully embracing this envisioned housing-type until we know where the envisioned buildings may be properly sited.
- 7) With reference to parking, the application proposes for one (1) parking space per dwelling unit for this new housing-type. As you know, this is lesser than the 1.5 parking spaces that our current ZO requires for similar multi-unit dwellings. To our view, this idea of lesser parking is counter-intuitive considering that a common US household [owns almost 2 cars on average](https://www.statista.com/statistics/551403/number-of-vehicles-per-household-in-the-united-states/#:~:text=On%20average%2C%20there%20are%201.88,disposal%20in%20that%20same%20year).¹
- 8) Finally -- assuming that the parcels west of Front Street were rezoned to B-5 as proposed -- the resulting zoning map will look odd given the non-contiguity of these parcels with the rest of the B5 parcels in this part of Allentown (please refer back to Figure 4).

Summary

- 9) Based on the foregoing, we reiterate that Staff:
- a) Agrees to re-zone the subject parcels east of Front Street from I-2/I-3 to B-5 with the TND Overlay remaining in force.
 - b) Agrees to have Adaptive Reuse -- as currently enforced -- available in B-5 Districts.
 - c) Does not favor rezoning the parcels west of Front Street which are currently zoned R-MH to B-5 for the reasons outlined under Item 5.
 - d) Does not to recommend the new housing-type -- and all the proposed features related thereto like standards for parking, siting, height , etcetera -- for reasons outlined in Items 6 and 7.

¹ <https://www.statista.com/statistics/551403/number-of-vehicles-per-household-in-the-united-states/#:~:text=On%20average%2C%20there%20are%201.88,disposal%20in%20that%20same%20year>.

Table 1. Comparison Table of Existing and Proposed Zoning Features, by Zoning District
(re: Zoning, Multi-Family Use Permissions, Standards for Bulk, Siting, Yard, Parking, etc.,)

Zoning Feature		EXISTING	PROPOSED	
			Exiting Standards	New
1	Zoning District; Overlay	R-MH (Residential-Medium High); TNDO	B5 (Urban-Commercial); TNDO	B5 (Urban-Commercial); TNDO
2	Multi-family dwellings	Permits 5 and more dwelling units in R-MH.	Permits 5 and more dwelling units in B5.	To allow the Urban Transition Multi-Family Development housing-type in B5 and B2 (Downtown) with a minimum of 20 units.
3	Adaptive Re-use of vacant or under-utilized building for mixed-use residential purposes.	Permitted by special exception R-MH.	Not permitted in B5.	To allow Adaptive Re-use in B5.
4	Minimum lot area	9,000 ft ²	4,000 ft ²	24,000 ft ²
5	Min. lot width	120 ft (same for corner lots)	40 ft (or 45 ft for corner lots)	(same as in existing B5)
6	Min. front yard	20 ft	10 ft	5 ft
7	Min. rear yard	35 ft	5 ft	(same as in existing B5)
8	Min. of each of 2 side yards	10 ft <ul style="list-style-type: none"> the building shall not be attached to a building on another lot, and each minimum side yard shall be increased by 4 feet for each dwelling unit exceeding 5 units, up to a maximum of 25 feet for each side yard. 	5 ft	(same as in existing B5)
9	Maximum height (ft)	38 ft (3 stories)	50 ft (about 3 or 4 stories)	<ul style="list-style-type: none"> 65 ft (5 stories) 80 ft if integrated with parking garage. 80 ft if hotel or motel.
10	Max. percent of building coverage	30%	70%	90%

	Min. average lot area per dwelling unit	1,800 ft ² (Where a mix of dwelling unit(s) and a non-residential use may be permitted by another provision of this Ordinance, then the first 1,000 square feet of lot area shall be counted towards the non-residential use, and then the specified minimum lot area shall be required in addition for each dwelling unit		(not applicable?)
11	Parking	1.5 spaces per dwelling unit, plus: <ul style="list-style-type: none"> • Various standards for commercial uses if mixed-use. 	1.5 spaces per dwelling unit	1 space per dwelling unit, plus: <ul style="list-style-type: none"> • An additional 1.0 per 500 sq. ft. of commercial floor area for any commercial use integrated into the building (such requirements superseding the requirements for commercial uses in Section 1321.02.C). • If any MFD project shares parking with another MFD project, either through internal access or if the lots are within 750 feet of each other, the total amount of parking needed for any MFD project shall be reduced by 35%.